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Sub - Sale of Service Inam lands attached to the office of Patels of Hanagi Taluk Village Shiragi

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Previous references.

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Later references.

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GENERAL AND REVENUE SECRETARIAT.

Serial Nos. /

Major ~~Part B~~ for Jan 93.

SUBJECT.

Sale of Service Inam lands attached to the office of Patel of Harage Village Shirala taluk.

W D 88—GPB—50,000—24-7-16

(1)

Section

File No

Serial No

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1886.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Commissioner of Mysore, No. 102, dated Anagod, 1st May 1866.

I have the honor to forward the following rules for providing the future remuneration of the officiating Patels and Shanbhogs in Districts of Mysore in which the survey settlement has been introduced.

2. At present it appears that these village officers are paid by land held entirely tax free (sarvainam) or paying a part of the land tax (Jodiinam), secondly by money payments from the Treasury and thirdly by grain levies called aya which are collected direct from the villagers and which as regards this class of officers are abolished by the survey settlement. These direct levies appear to be very irregularly paid, and complaints on this score are of very common occurrence.

3. I propose to exclude the value of these grain levies entirely from the calculation of existing emoluments and future remuneration. Then present value is exceedingly uncertain. Where the other emoluments of the office are sufficient to provide for the established remuneration of the officiator, these grain levies will not be required, and when the remaining emoluments, either with or without the grain levies, are insufficient, the deficiency will equally have to be made good from the Treasury.

4. I propose the following rules for calculating the value of the present official emoluments of each office :—

1.

All official land, whether recorded as sarvainam, jodiinam, or otherwise, shall be valued at the survey assessment of the same less the amount of the jodi tax or other cesses to which it may be subject as recorded in the public accounts "of the year."

2.

Cash allowances, under whatever name they may be entered in the public accounts, shall be recorded at the amount to be entered in the accounts of the year.

3.

The sum total of the emoluments, valued according to the above two rules, is to be taken as the existing valuation of the emoluments of the office.

4.

The officiating Patel and Shanbhog of each village shall hereafter each receive for the performance of the duties of his office a remuneration in cash of at least the amount fixed by the following scale for their offices respectively.

PATEL'S SCALE.

1.

For the first thousand rupees of the gross revenues of his village three per cent, for the second thousand two per cent and for the balance of gross revenue beyond two thousand rupees one per cent. In addition to these percentages he shall also receive a fixed annual allowance of one rupee when the gross revenue ranges from Rs. 11 to Rs. 30, of two rupees when the gross revenue ranges from Rs. 31 to Rs. 60, of three rupees when the gross revenue ranges from Rs. 61 to Rs. 100 and of five rupees or to much of it, when the gross revenue exceeds Rs. 100, as shall be required to make the salary up to but not exceed Rs. 32 per annum.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

SHANBHOG'S SCALE.

2.

For the first thousand rupees of the gross revenues of his village four per cent, for the second thousand three per cent, for the third thousand two per cent, for the fourth thousand one per cent and for the balance of gross revenue beyond four thousand rupees one per cent.

3.

He shall also receive in addition a fixed annual allowance of one rupee when the gross revenue ranges from Rs. 11 to Rs. 20, of two rupees when it ranges from Rs. 21 to Rs. 50, and of three rupees it ranges from Rs. 51 to Rs. 100 and five rupees from Rs. 101 revenue and upwards, or so much as may be required to make the salary up to but not exceed Rs. 32 per annum.

4.

In addition to his salary the officiating Shanbhog shall also receive an allowance for stationery as shown in the subjoined table :—

Gross Revenue of Village.	Stationery Allowance.			Gross Revenue of Village.	Stationery Allowance.		
	Rs.	A.	P.		Rs.	A.	P.
Up to 20 Rupees.	1	0	0	1,251 to 1,500	6	0	0
21 „ 50 „	2	0	0	1,501 „ 1,800	6	8	0
51 „ 100 „	2	8	0	1,801 „ 2,000	7	0	0
101 „ 200 „	3	0	0	2,001 „ 2,500	7	8	0
201 „ 350 „	3	8	0	2,501 „ 3,000	8	0	0
351 „ 500 „	4	0	0	3,001 „ 3,500	8	8	0
501 „ 700 „	4	8	0	3,501 „ 4,000	9	0	0
701 „ 900 „	5	0	0	4,001 „ 4,500	9	8	0
901 „ 1,250 „	5	8	0	4,501 „ 5,000	10	0	0

5.

In many cases it will be necessary for one officiating Shanbhog to hold more than one village, in that case his percentage remuneration shall be calculated upon the conjoint revenues of all the villages placed in his charge, but the additional sum payable for each village under the third of these rules shall in no case exceed rupees five for each village.

6.

The stationery allowance for each village of a Shanbhog's charge will be calculated independently.

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7.

The following table shows the amount of salary to be paid to officiating Patels and Shanbhogs according to the preceding scales:—

Gross Revenue of the Village.	Patel's Salary.						Shanbhog's Salary.								
	Percentage.				Additional Fixed Allowance.	Total Salary.	Percentage.				Additional Fixed Allowance.	Total Salary.	Stationery Allowance.	Grand Total including Stationery Allowance.	
	Rates.			Amount.			Rates.								
	1st Thousand.	2nd Thousand.	3rd Thousand.				1st Thousand.	2nd Thousand.	3rd Thousand.	4th Thousand.					
1	2	3	4	5 Rs. As.	6	7 Rs. As.	8	9	10	11	12 Rs. As.	13	14 Rs. As.	15 Rs. As.	16 Rs. As.
15	3	...	...	0 12	1	1 12	4	...	...	...	0 10	1	1 10	1 0	2 10
25	3	...	...	0 12	1	1 12	4	...	...	...	1 0	2	3 0	1 0	4 0
50	3	...	...	1 8	2	3 8	4	...	...	...	2 0	2	4 0	2 0	6 0
75	3	...	...	2 4	3	5 4	4	...	...	..	3 0	3	6 0	2 8	8 8
100	3	...	...	3 0	3	6 0	4	...	...	...	4 0	5	9 0	2 8	11 8
150	3	...	...	4 8	5	9 8	4	...	...	...	6 0	5	11 0	3 0	14 0
200	3	...	...	6 0	5	11 0	4	...	...	...	8 0	5	13 0	3 0	16 0
300	3	...	...	9 0	5	14 0	4	...	...	...	12 0	5	17 0	3 8	20 8
400	3	...	...	12 0	5	17 0	4	...	...	...	16 0	5	21 0	4 0	25 0
500	3	...	...	15 0	5	20 0	4	...	...	...	20 0	5	25 0	4 0	29 0
600	3	...	...	18 0	5	23 0	4	...	...	...	24 0	5	29 0	4 8	33 8
700	3	...	...	21 0	5	26 0	4	...	...	...	28 0	4	32 0	4 8	36 8
800	3	...	...	24 0	5	29 0	4	...	...	...	32 0	...	32 0	5 0	37 0
900	3	...	...	27 0	5	32 0	4	...	...	...	36 0	...	36 0	5 0	41 0
1,000	3	...	...	30 0	2	32 0	4	...	...	...	40 0	...	40 0	5 8	45 8
1,100	3	2	...	32 0	...	32 0	4	3	...	...	43 0	...	43 0	5 8	48 8
1,200	3	2	...	34 0	...	34 0	4	3	...	...	46 0	...	46 0	5 8	51 8
1,300	3	2	...	36 0	...	36 0	4	3	...	...	49 0	...	49 0	6 0	55 0
1,400	3	2	...	38 0	...	38 0	4	3	...	...	52 0	...	52 0	6 0	58 0
1,500	3	2	...	40 0	...	40 0	4	3	...	...	55 0	...	55 0	6 0	61 0
1,600	3	2	...	42 0	...	42 0	4	3	...	..	58 0	...	58 0	6 8	64 8
1,700	3	2	...	44 0	...	44 0	4	3	...	...	61 0	...	61 0	6 8	67 8
1,800	3	2	...	46 0	...	46 0	4	3	...	...	64 0	...	64 0	6 8	70 8
1,900	3	2	...	48 0	...	48 0	4	3	...	...	67 0	...	67 0	7 0	74 0
2,000	3	2	..	50 0	...	50 0	4	3	...	...	70 0	...	70 0	7 0	77 0
2,100	3	2	1	51 0	...	51 0	4	3	2	...	72 0	...	72 0	7 8	79 8
2,200	3	2	1	52 0	..	52 0	4	3	2	...	74 0	...	74 0	7 8	81 8
3,000	3	2	1	60 0	...	60 0	4	3	2	...	90 0	...	90 0	8 0	98 0
3,100	3	2	1	61 0	...	61 0	4	3	2	1	91 0	...	91 0	8 8	99 8
3,200	3	2	1	62 0	...	62 0	4	3	2	1	92 0	...	92 0	8 8	100 8
4,000	3	2	1	70 0	...	70 0	4	3	2	1	100 0	...	100 0	9 0	109 0
4,100	3	2	1	71 0	...	71 0	4	3	2	1	101 0	...	101 0	9 0	110 0
4,200	3	2	1	72 0	...	72 0	4	3	2	1	102 0	...	102 0	9 0	111 0
5,000	3	2	1	80 0	...	80 0	4	3	2	1	110 0	...	110 0	10 0	120 0
6,000	3	2	1	90 0	...	90 0	4	3	2	1	120 0	...	120 0	11 0	131 0
7,000	3	2	1	100 0	...	100 0	4	3	2	1	130 0	...	130 0	12 0	142 0

5.

The salaries of officiators fixed by the preceding rule, form the minimum rate of remuneration, but an addition to the fixed portion of the officiator's allowance according to scale will be made in certain cases specified in the following subsidiary rules :--

1.

When the balance of the total emoluments, formed by Rule 3 beyond what is necessary to provide the remuneration of the officiator fall short of rupees five in the case of villages having a gross revenue of less than Rs. 500 and of Rs. 10 in case of villages having a gross revenue in excess of Rs. 500, this balance shall be assigned as a permanent fixed allowance to the officiator in excess of his salary formed by Rule 4.

2.

When the balance of the total emoluments formed by Rule 3 beyond what is necessary to provide the remuneration of the officiator is large, namely when it exceeds the salary of the officiator according to scale, 10 per cent of this balance will be assigned as a permanent fixed allowance to the officiator in excess of his salary as fixed by Rule 4.

3.

In the case of towns or large villages with a population of about 2,000 inhabitants or more for the duties of which two officiating Patels will generally be requisite, and the Shanbhog will generally require an assistant, a permanent fixed allowance of Rs. 10 will be assigned to each officiating Patel and Shanbhog in addition to his salary formed by the scales in Rule 4 when the balance of the total emoluments is sufficient for the purpose but insufficient to bring the case within the operation of the preceding subsidiary rule.

6.

The gross revenue of the village referred to in Rule 4 is the whole revenue leviable for any year before deducting any remissions.

7.

The salary of each officiating Patel and Shanbhog is to be paid to him quarterly from the Taluk Treasury in cash. But no part of the salary of an officiator shall on any pretext whatsoever be deducted or withheld on account of revenue due by himself or others or from balance of Government revenue in his charge.

8.

The salary of each officiator would strictly speaking vary from year to year with the leviable revenue of the village, but to avoid complication in the accounts a revision shall be made every five years, and even these are alteration in the emoluments of the officiators shall only be made when the revenue of the village exceeds or falls short of the amount leviable when the emoluments were last fixed by an amount exceeding 5 per cent, for the same reason the appropriations from the total present emoluments of each office shall be raised decennially and no alteration shall be made in the amount leviable unless the total leviable revenue of the village exceeds by upwards of 10 per cent the amount at which it stood when the appropriations from emoluments were last made.

9.

When the assessment of the arable land (exclusive of alienations) under occupation in the year in which the settlement of remuneration of village officers is made exceeds five-sixths of the assessment of all the arable land (exclusive of alienations) in any village, the gross revenue of the year will be taken for the calculation of the remuneration of the officiators with a view to fix and determine the extent of the appropriations to be made for their support out of the total official emoluments.

10.

When the assessment of the arable land specified in the preceding rule in occupation in the year in which the settlement of the village officers is made falls short of five-sixths of the assessment of all the arable land exclusive of alienations in the village, then five-sixths shall be assumed to be under occupation to fix and determine the extent of the appropriation to be made for the support of the officiator out of the total office emoluments.

11.

The existing official emoluments valued as provided for in Rules 1 and 2 will be appropriated for the support of the officiator in the manner specified in the following rules, and the balance of emoluments remaining after providing for the officiator is to be disposed of for the future in the manner also provided for in these rules.

12.

The emoluments derived from land as fixed by Rule 1 shall first be appropriated to provide the salary of the officiator.

13.

When the emoluments derived from land are insufficient to provide the salary of the officiators, the cash emoluments will next be appropriated to make up the salary of the officiator.

14.

Any deficiency after appropriating all the emoluments from land and cash shall be made good from the Government Treasury.

15.

Any surplus on the existing emoluments on land and cash remaining over after providing the salary of the officiator shall be dealt with as follows:—

1.

If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional jodi equal to one-half the profits on the above land, the profits being the difference between the jodi payable thereon and the full survey assessment or valuation.

2.

Any surplus remaining out of the cash emoluments, after providing the salary of the officiator, shall be at once resumed by Government.

16.

When the official land of any office is held in shares and these shares with the amount of jodi and other cesses now payable on each are separately recorded in the village accounts, then the additional tax imposed upon the whole official land of the office under this rule is to be apportioned on the several shares in proportion to the sum by which the full survey assessment of the land of each share exceeds the present jodi and other cesses payable on the same as shown in the following example:—

	Names of Shares.	Survey Assessment of the land of each share.	Deduct Jodi Cess now paid on each share.	Remaining Profit on each share.	Addition to Jodi in column 3 apportioned on profit in column 4.	Future Jodi Cess on each share, being sum of columns 3 and 5.
	1	2	3	4	5	6
1	Karibasavegauda's ...	16 0 0	23 0 0	...	...	23 0 0
2	Nimbegauda's ...	49 12 0	46 0 0	3 12 0	2 12 0	48 12 0
3	Basavegauda's ...	26 8 0	25 12 0	0 12 0	0 8 0	26 4 0
4	Lingegauda's ...	108 4 0	89 0 0	19 4 0	13 8 0	102 8 0
	Total.....	200 8 0	183 12 0	23 12 0	16 12 0	200 8 0

In settling the amount of jodi to be paid upon each share, fractions of less amount than ½ rupee are not to be admitted into the accounts in accordance with the rule followed in regard to all survey assessments.

17.

Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when to be disposed and every such officer shall, at any time whether at, or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written "Razinama" any entire field or fields into which his official land may have been marked off by the survey, and on so doing the relinquished field is immediately to be entered in the accounts as Government land and the jodi tax payable by the hereditary officer is to be reduced by the full amount of the survey assessment of the relinquished fields.

18.

The official land under the settlement prescribed in the foregoing rules will form no part of the remuneration of the officiator who is to be paid wholly in cash, and the land will therefore remain in the possession of the sharers who may at present hold it.

19.

A Patel will, as a rule, be appointed for each village. But the some Shanbhog may hold as many villages as will give him an annual income of Rs. 60.

5. These rules are drawn up on those in force in the South of the Bombay Presidency for some years with such modifications as further experience has shown to be desirable.

6. It might be assumed that the official land having been given solely for the support of the office, all surplus emoluments derived from it after providing the salary of the officiator should revert to the State, that is be subjected to full assessment instead of only to half assessment as is proposed in Rule 15, Section 1 in accordance with the practice in the Bombay Presidency where the rule is to subject to half assessment only lands long prescriptively enjoyed on account of service to Government now no longer required or otherwise sufficiently remunerated.

7. In some Collectorates in Bombay it is the practice to forbid the officiator to share the salary fixed by scale with the other members of the family under penalty of dismissal; for obvious reasons it is most desirable to do all we can to secure the sole enjoyment of the salary to the person who does the work. Though in practice it is found difficult to enforce this rule, or to interfere with the private arrangements of the members of the official family, yet it is I think on the whole desirable to retain this rule, if this opinion is concurred in an additional rule to this effect would require to be inserted.

8. Vernacular statements for each village are made out by the Settlement Department fixing the salary of each officiator the amount to be contributed by additional jodi on each recognized sharer in the official land, the amount to be contributed by the Treasury and the disposal of any surplus emoluments rendering the whole matter excessively easy of introduction by the taluk officials. These statements are generally drawn up in the second year after the settlement, in order to give time for the purification of the lists of jodi inam land in which there is almost always a good deal of confusion and complication.

9. For the one or two years which may intervene between the settlement and consequent abolition of direct levies and the fixing salary it is the practice to award an interim compensation for abolished "Aya" taking care to keep the total emoluments aya inclusive within the amount of salary which will be awarded according to scale.

10. At present it is the common practice for the Shanbhogs not to live in the villages of their charge, but neither at some large town in the taluk where brahmins congregate, or at the Taluk Cutcherry Town. I propose that after the introduction of fixed salaries Shanbhogs be required to live in a named village of their charge and be not allowed to leave it without the written permission of the Amildar, who shall keep a register of the leave granted to each Shanbhog, and submit returns on the subject to the officer in charge of the Taluk at such periods as may be deemed necessary.

11. It is impossible to calculate what charge upon the revenues the introduction of these rules would entail, as we do not at all know what will be the survey valuation of existing emoluments in unsettled taluks.

12. I am prepared to draw up the detailed statements for the Harihar Taluk as soon as ever I receive your sanction to my rules. The detailed statements of existing emoluments are all fully drawn out.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

Memorandum by Commissioner of Mysore, No. 11, dated Bangalore, 15th May 1866.

With reference to letter No. 102, dated 1st instant from the Survey and Settlement Commissioner of Mysore, forwarding rules for providing the future remuneration of the officiating Patels and Shanbhogs in the Districts of Mysore in which the survey settlement has been introduced, I beg to state that the rules therein laid down by Colonel Anderson are good, but before conveying sanction thereto, the opinions of the Superintendents of Divisions may be obtained, but with regard to the Commissioner's remarks against para 2 in the letter above referred to I beg to state that the term aya is prevalent all over the Province. I further beg to add that there are very few Patels but numerous Shanbhogs in this country who hold service inam lands the beriz of which is shown in the accompanying statement. They also receive fees called aya or fees paid in kind or money. Though this is not shown in the accounts in the Dufter, yet it is a known fact that this system is prevalent in the Province. But the value of the produce of the land held by them not being known, it is but right to fix their remuneration on a percentage of the revenue of each village. The value of the aforesaid fees not being certain, an annual allowance is fixed by Colonel Anderson. This is allowed to them in consideration that the former remuneration would not be sufficient for their maintenance.

The table of salaries entered in the letter of Colonel Anderson has been tested and found to be correct.

The Patels now in the Province have no particular duties to perform and consequently it would be necessary to request the Superintendents to state what duties they will have to conduct for the percentage recommended by Colonel Anderson.

In the 7th para of Colonel Anderson's letter, he recommends that the officiator should be forbidden to share his salary with his relatives. This had been a practice in the whole Province, till the *Circular No. 4361—64, dated the 4th January last was issued disallowing the practice and prohibiting the courts from admitting such claims.

*Herewith submitted.

1866

From the Officiating Superintendent, Nagar Division, To the Secretary to the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore.
Circuit No. 36, dated Camp Kadur, 28th May 1866.

I have the honor to acknowledge your Circular docket No. 341—4, dated 17th instant, giving cover, for the expression of my opinion, to a communication from the Survey and Settlement Commissioner, suggesting a scheme of remuneration to Patels and Shanbhogs in settled taluks, and in reply beg to offer the following observations.

2. From Colonel Anderson's letter, I understand that a Patel is to get an allowance of 3 per cent on the first thousand or any portion of a thousand rupees of the gross land revenue of his village; two for the 2nd thousand, and one per cent for anything over two thousand. In addition to this, he is also to get a fixed salary at the rate of one rupee annually when the gross revenue of his village ranges from Rs. 11 to Rs. 30, two when the same ranges from Rs. 31 to Rs. 60. Three when it ranges from Rs. 61 to Rs. 100 and Rs. 5 when it exceeds Rs. 100; but in no case is the total salary to exceed Rs. 32 per annum.

3. A Shanbhog in like manner is to get 4 per cent on the 1st thousand, 3 per cent on the 2nd thousand, 2 per cent on the 3rd thousand, and 1 per cent on all collections over that sum, derived from land. He is also to get a fixed annual salary, the rates varying slightly from those laid down for Patels, but the total the same, *viz.*, Rs. 32 per annum. He is likewise to get an allowance for paper varying from one Re. to ten per annum according to the gross revenue of the villages under his charge. The aggregate value of these emoluments may be estimated on an average at 3½ per cent, for instance, given a village the land revenue of which is Rs. 4,000.

The Shanbhog would get Rs. 100 at the four different rates of percentage laid down by Colonel Anderson; Rs. 32 fixed annual salary and Rs. 9 for paper making a total of Rs. 141 which is $3\frac{1}{2}+\frac{1}{40}$ on Rs. 4,000.

4. The Patel would, according to the same calculation, get $2\frac{1}{2}$ per cent and a fraction. The aggregate for the 2 offices being 6 per cent.

5. Totis, Talaris, Nirgantis, and the rest of the Barabaluti are altogether ignored. Perhaps Colonel Anderson meditates another set of simple rules for the remuneration of these village officials.

6. I quite agree with Colonel Anderson that it is desirable to abolish all irregular collections called "Aya" miras, or by whatever other denomination they are known, made hitherto by the Patels and Shanbhogs from the ryots, and that these officials should draw their emoluments direct from the Government, and these emoluments should be sufficient to enable them to live without having recourse to peculation.

7. But it seems to me that some more simple rules might be laid down than are contained in the elaborate code submitted by Colonel Anderson. All that seems to me to be necessary is, that a certain percentage on the gross revenues should be allowed for the remuneration of Shanbhogs and Patels, and that this sum should be so distributed as to give each official a fair allowance for the work he performs. To do this as regards Shanbhogs is comparatively easy, as one Shanbhog can have the charge of more than one village and his income can thus be made up. But the income of Patels of small villages will be very little, and when it is considered that they do or are expected to do judicial as well as revenue work, I think their case deserves consideration. I have always considered that Patels' services are of great importance to us, and that they should have been better remunerated.

8. I object entirely to Colonel Anderson's proposition to appoint 2 Patels to one village, two Kings of Brentford would never answer, and one is sufficient. He will find all the aid he requires without our interference, if we pay him according to the quantity of work he has to perform. The same may be said of Shanbhogs. They will find all the assistance they may need. We should recognize but one man.

9. I would not either recognize the division and sub-division of inams, or jodi lands, granted for services. One man alone should be acknowledged as the holder of those lands and answer to us for it. With any subsidiary family arrangements, I don't consider that we are called upon to interfere.

10. With reference to the assessment of land found by the survey in excess of the Government grant, I would of course deal liberally, and Colonel Anderson's terms are in my opinion abundantly so.

11. I think the suggestion that Shanbhogs should permanently reside in their head-quarter villages is good. Shekdars do so, and there is no reason why Shanbhogs should not do the same.

12. It is not, I think sufficiently clearly, stated whether the remuneration proposed to be granted by Colonel Anderson's rules is to be all in land or all in cash, or partly in one and partly in the other. I presume the latter. But in my opinion it should be entirely in cash or land, and I would prefer land, and so I think would the majority of Shanbhogs and Patels.

13. I am not aware of any advantages that may be expected to arise from the payment of Patels and Shanbhogs quarterly, and I see objections to it. Their pay must accumulate in the Taluk Treasuries, and it will afford facilities to Nagadi Gumastas and others connected with that branch of the service to exact fees. They should, I think, be paid monthly like other Government servants.

14. I do not share Colonel Anderson's expectation that his scheme will be readily understood and easily introduced, and I would not therefore be in any hurry to introduce it into unsettled taluks. For, whatever else may be its merits, it certainly to my mind lacks simplicity.

15. I have to apologize for not having submitted my opinion at an earlier date. But when your docket reached me, I was engaged in a very heavy criminal sessions.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

From the Superintendent, Nundydroog Division, To the Secretary to the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 421—R. 18, dated Nelamangala, 7th June 1866.

D

I have the honor to acknowledge your Circular docket No. 341—R. 4 of the 17th ultimo, with Memorandum No. 694—87, dated the 2nd June 1866, forwarding an original letter from Colonel Anderson, Survey and Settlement Commissioner for Mysore, proposing a scheme for remunerating Shanbhogs and Patels, for my opinion.

2. It appears to me that on a general revision like that now in progress which necessarily disturbs all existing rights and perquisites of village servants, any new system introduced ought to be as simple as possible.

3. Colonel Anderson's proposed scheme does not appear to me simple but rather, on the contrary, complex and heavy and as respects the very small charge and insufficient remuneration of Patels inexpedient. As I cannot express my concurrence with the scheme generally, I feel called upon to suggest another scheme in lieu of it and accordingly submit the following :—

1*st*. The imposition of the survey rates on all service lands less ten per cent as an honorary distinction, a distinction apart from remuneration which will be generally valued.

2*nd*. With the above exception the remuneration to be exclusively in cash.

3*rd*. The Shanbhogs to receive 4 per cent and the Patels 3 per cent on the gross revenue of their villages to be paid quarterly from the Treasury.

4*th*. The percentage to be revised every five years if the revenue, exclusive of remissions, has increased or decreased five per cent.

5*th*. Small villages to be clubbed to the extent necessary to make up the Pay of the Shanbhog to 36 and the Patel to Rs. 24 per annum; the latter officer to receive in addition Rs. 12 annually in event of his being appointed Police Gauda.

6*th*. A separate allowance for stationery does not appear to be desirable.

From the Acting Superintendent, Ashtagram Division, To the Secretary to the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 1476 —R. 73, dated Mysore, 11th August 1866.

E

I have the honor to acknowledge your letter No. 1143—24 of 25th June last, and in returning Colonel Anderson's letter No. 102 of 1st May 1866, which it enclosed, relative to a scheme of remuneration for Patels and Shanbhogs, to submit the following remarks.

2. Except in the Taluks of Manjarabad, Belur and Maddur, the Patels of this Division are remunerated by an exemption from mohatarfa and plough tax only. In Manjarabad and Belur they hold lands attached to the office, rent free, and in Maddur they are paid in cash. In all parts of the country however it was customary when the batayi system was in full force (before 1840) for the Patels to receive from ½ to 2 seers of grain per khandi, at the time of measuring the produce of the crops before division.

3. During the administration of Púrnaiya and His Highness the Raja, lands were held in umbli by the Patels, but this system appears to have been abolished since the assumption of the country.

4. From the importance of the Patels' duties and the amount of responsibility imposed upon them during the time of collection, their remuneration should be liberal, and while Colonel Anderson's rules appear to me rather complicated, and, I confess, difficult of comprehension, I would advocate the remuneration of Patels by a

fixed salary calculated on the revenue and subject to revision with the survey. Where the revenue supervised by one Patel is distributed over two or more villages, I would allow an additional percentage according to the number of villages in his charge, but endeavours should be made to secure if possible a Patel for each village.

5. The Shanbhogs have all lands, rent free, and lightly assessed as well as pay which ranges from 2 pie to Rs. 1 4 0 per month, some Shanbhogs have service land alone, some only pay from Government; and others have both land and pay, besides these they used to levy direct from the ryots what was called "Masikanike" or stationery allowance to cover contingent expenses. When the batayi system was in full force a Shanbhog was in receipt of from 1 to 4 seers per khandi (double the allowance of Patels) of grain of all kinds harvested in his villages, but this system has disappeared owing to the gradual abolition of batayi.

6. The emoluments of both these classes of servants are not proportionate nor determinable with reference to any standard, and it is found that in villages yielding a large revenue the Shanbhog's emolument is frequently trifling, while in those yielding a small revenue their emoluments, both from land, money payment, and "Mirasi" are generally considerable; in some cases land, ready money, and a good "Masikanike" are attached to the office, and in others only land. It is therefore most desirable that a uniform system should be introduced, and I am inclined to give preference to a system similar to that recommended at the close of para 3 for Patels.

7. The present allowances in land and money for the whole Division, both to Patels and Shanbhogs, do not amount to more than Rs. 1,898—8—1, whilst the estimated requirements calculated upon the data given by Colonel Anderson amount to Rs. 1,16,578 being an increase of Rs. 1,14,680—8—1. It does not appear however how far present holdings may be affected and developed by the operations of the survey so that there is not at present a fair basis for the appreciation of the measure as a charge upon the revenue, which the nice adjustment proposed by Colonel Anderson appears to me too complicated for practical application.

8. Both Patels and Shanbhogs should invariably reside in the villages to which they are attached.

From the Secretary to the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, To the Commissioner, Revenue Survey, No. 2429—R. 23, dated Bangalore, 24th August 1866.

1. The important question relating to the emoluments of village officials which forms the subject of your letter No. 102, dated May 1st last, has received the Commissioner's fullest consideration, and has been referred for the opinion of the Superintendents of the Province whose views will be found in their accompanying replies.

(In original to be returned.)
From Superintendent, Nundydroog, dated 7th June 1866, No. 421—18.
Do do Ashtagram, dated 11th August 1866, No. 1476—73.
Do do Nagar, dated 28th May 1866, No. 36.

2. None of these officers it will be observed are favorable to the scheme in its present form, and the Commissioner is inclined to believe that neither the general principles on which the rules are based nor the details of calculations have been clearly apprehended.

3. It is stated in your letter para 5 that the proposed system is based on that now in force in the Bombay Presidency with such modifications as appeared advisable for Mysore, and the Commissioner presumes therefore that the main features of the scheme are in working order elsewhere though it is not known whether any practical difficulty has been found in applying the rules propounded.

4. Were it not for this presumption the Commissioner would be inclined to doubt whether the rules possess sufficient simplicity to warrant their general introduction.

5. The points involved in the question are apparently —

1. What would be a fair remuneration for the duties appertaining to the office of Patel and Shanbhog.

2. In what form should payment be made, whether in land, cash or both ?

3. What amount is now received by the holders of these offices ?

It may be observed also that the inferior village officials such as " Totis," " Talaris" and " Nirgantis " are not provided for under the proposed rules and that it is desirable that their future position and emoluments should be settled simultaneously with those of the Patels and Shanbhogs.

6. With regard to the 1st point, in order to determine the amount of remuneration, the limit of duties which a Shanbhog can satisfactorily perform, must be calculated, that is to say, the amount of revenue one man can collect, register and account for must be prescribed. A decision on this point must necessarily be somewhat arbitrary and being so the Commissioner is of opinion that Rs. 1,000 of collection may fairly be taken as a datum.

7. In a large village a Shanbhog might possibly collect more than this, but in the case of several small villages grouped together so as to yield about this maximum, it is doubtful whether he could conveniently accomplish more, while in the case of the larger villages the other Shanbhog or Shanbhogs might be members of his own family though separately registered.

8. In the later settlements of the North-Western Provinces the Patvaris receive 3 per cent of the jamma, but their duty then being limited to keeping the accounts is much less arduous probably than in Southern India, and the Commissioner does not therefore think that 5 per cent would be too much to allow them. This on an average assessment of Rs. 1,000 would give each Shanbhog Rs. 50 yearly or somewhat more than Rs. 4 per month, and on the same principle the Commissioner proposes to give Patels 2 per cent on the assessment. Meaning by the latter term the total of the survey assessment including inams, as defined in Rule 6.

9. Although this principle should be kept in view as a standard, there does not appear to the Commissionor to be any necessity for adhering too regidly to a fixed rate of remuneration, as in the following instance. The revenue of a village being Rs. 850, the pay of a Shanbhog would be Rs. 42—8—0 and it would not be essential to add another small village so as to bring up the total assessment to Rs. 1,000. Or again if the revenue were Rs. 1,200 it would be expedient to allow the Shanbhog to draw Rs. 60 rather than to divide the village and give over a portion of the accounts to another man. It appears to the Commissioner to be unreasonable and unnatural to place every village servant in exactly the same position as his neighbour in respect to pay nor does he think such rigid precision would produce any adequate result. In cases similar to the first mentioned however a remission of a percentage say 10 per cent on the officials kandayam land might be given to effect an approximate equalization, to the general scale.

10. The 2nd point has reference to the form in which payment should be made. On this the Commissioner observes that it would certainly be in the interests of Government to pay all the Shanbhogs in cash, but it is believed that so much land is held by them that great dissatisfaction would be produced by its resumption. He considers however that it should all be assessed at the survey rates and deduction made on the jodi principle on account of service rendered. Thus, if out of Rs. 50, 10 was to be paid from land it would be easy to provide this by deducting either from the assessed original service land, or the assessed kandayam land held by the

Shanbhog a jodi which would give him that sum. If the land held by him was insufficient for the purpose, he might be permitted to take up waste land on favorable terms. The same principle would apply to Patel's remunerations, for as a general rule the Commissioner considers that resumptions of land should be avoided as being opposed to the feelings of the village officials whom it is an object to make useful Government servants. The Commissioner therefore sees no objection to the remuneration being paid entirely in land or partly in land and partly in cash as circumstances may warrant.

11. With reference to the 3rd point *viz.*, the present emoluments of village officials, the available information is confessedly deficient. In the only printed report of the Revenue features of the Chitaldroog District, it is stated by Captain Chalmars that the average receipts of the Shanbhogs were 2 $\frac{7}{16}$ say 3 per cent of the Government revenue and those of the Patels $\frac{1}{16}$ths or say 1 per cent in the year 1840—41. Little reliance can be placed on these figures for it is tolerably well known that the Shanbhogs hold far more land than they receive credit for in the taluk accounts, while they have also hitherto been enabled to assess their own land at lower rates than those paid by other ryots. The best kind of profit has necessarily disappeared owing to the imposition of survey assessment rates, so that they are in respect to such lands in the same position as other cultivators. They also lose under the operation of the revenue survey the aya fees formerly levied by them and their special privileges are therefore now restricted to such service lands as they may hold either rent free or on a light assessment, and to the money payments made to them by Government both of which will be available sources of future remuneration.

12. Totis, Talaris and Nirgantis should not, the Commissioner conceives, receive less than 1 per cent altogether. but it would be more convenient and more in conformity with former customs probably to make their remunerations payable in kind by the villagers. In case of their holding land already it would not be advisable to disturb their possession, though such land would rarely be formed to be of any value. On the contrary the Commissioner believes that in most cases it is wholly insufficient but the complement required to make the aggregate up to 1 per cent should, the Commissioner thinks, be contributed by the ryots. As before observed the useful class of officials is not referred to in your letter, but while estimating the charges to be met either by Government or the ryots, the Commissioner considers it essential to make provision for them and rather than that they should not be provided for; he would prefer deducting the 1 per cent out of Government revenue as in the case of Patels and Shanbhogs.

13. In addition to the remuneration of Totis, Talaris and Nirgantis, there is another subsidiary cess which in the Commissioner's opinion should be settled at the same time as the emoluments of Shanbhogs and Patels, *viz.*, the present plough-tax which should give place to a local fund at 2 per cent to be paid in excess of the assessment. The proceeds would be devoted to the roads of the Taluk and District and to local improvements of various kinds which need not be particularized.

14. A school cess could not probably be imposed safely in the present state of education nor would a District postal cess perhaps be expedient.

15. The financial effect of the arrangements proposed by the Commissioner would therefore be a total charge of 10 per cent for the remuneration of Shanbhogs, Patels, and inferior village servants and for the formation of a local fund in lieu of the present plough-tax of which 7 per cent would be borne by the Government for the payment of the 1st two classes, and 3 per cent be a deduction from ryots' profits in payment of the inferior officials and for the local fund. Thus, in the case of a village assessed at Rs. 1,000, the Government would realize this sum minus Rs. 70 or 930, while the profits of the ryots whatever proportion they might bear to the gross produce would be chargeable with 3 per cent of deduction.

16. The deduction on account of the emoluments of the minor village servants from the proprietary profits is, in the Commissioners' opinion, quite justifiable in principle, and would divest the Government of much troublesome work. The local fund may also he considers be legitimately deducted from the same source especially as the plough-tax is at present payable by the ryots.

17. In the North-Western Provinces, Patels' fees are also deducted from the proprietary profits, but their position as representatives of village communities is different from what it is in Mysore and the Commissioner considers that as Government officials they should be paid out of Government revenue.

18. The Commissioner's remarks on the rules contained in your letter are appended.

Memo by the Commissioner of Mysore on Colonel Anderson's letter No. 341—4, *dated* 1*st May* 1866.

Colonel Anderson's letter embodies certain rules for providing the future remuneration of officiating Patels and Shanbhogs on the introduction of the survey settlement.

The letter itself contains 12 paras, 4 introductory, and 8 explanatory and concluding the rules referred to, 19 in number occurring intermediately.

There are 12 subsidiary rules attached to Rules 4, 5 and 15 respectively as shown below.

The scheme provides for the payment of Patels and Shanbhogs by a percentage on the gross revenue of each village with certain additional fixed allowances, to determine the amount of which, and ascertain from what sources funds are available, two statements are propounded.

I. The calculation of the value of the present official emoluments.

II. The details of payment under the proposed systems. There is no connection in principle between the existing and proposed systems, the former being entirely superseded by the latter, but present emoluments are intended to be applied as far as possible to the remuneration of officials under the proposed future scheme.

The first 3 rules refer to the calculation of the value of the present official emoluments. Rules 4 to 19 embrace the details of payment proposed for the future.

Rule I.

Land at present appropriated for such emoluments how to be valued?

Rule II.

Present cash allowances do do?

Rule III.

The total under the above two rules to be the valuation of existing emoluments.

Rule IV.

Patel and Shanbhog to be paid in cash scale.

Subsidiary Rules.

Patel.	..	1. Patel's scale—Percentage and additional.
Shanbhog.	..	2. Shanbhogs—Percentage. 3. Additional fixed. 4. Stationery. 5. If in charge of more than one village—Percentage and additional fixed. 6. Stationery. 7. Table for both the above.

Rule V.

Explains that the salary under the above scale is the maximum but provides an addition to the fixed salaries in 2 specified cases.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

1. When the balance of the total emoluments under Rule III beyond what is necessary for the remuneration of the official falls short of Rs 5 in the case of a village having a gross revenue of less than Rs. 500 or 10 per cent in case of villages having a gross revenue in excess of Rs. 500, the balance to go to the official.

2. When the balance referred to is large, *viz.*, when it exceeds the salary of the official by scale, 10 per cent to be added to the fixed allowance.

3. Cases of towns and large villages involving the appointment of 2 Patels or Shanbhogs and Assistant.

Rule VI.

Gross revenue defined.

Rule VII.

Payemnts in cash how to be made ?

Rule VIII.

Fluctuations in percentage salary from variations in the gross assessment how to be avoided?

Rules IX & X.

Gross revenue of any village at time of survey assumed to be at least $\frac{5}{6}$ths of the arable land (Government) in occupation, any excess being given in favor of the officials in calculating the gross revenue.

Rule XI.

Existing emoluments according to Rules I & II first available for remuneration under the proposed scheme.

Rule XII.

Land to be first appropriated.

Rule XIII.

If insufficient, existing cash emoluments to be next applied.

Rule XIV.

Any further deficiency to be supplied from the Government Treasury.

Rule XV.

Surplus in existing emoluments to be dealt with—

1. Surplus land to be taxed by the imposition of additional jodi.
2. Surplus cash to be resumed.

Rule XVI.

Shares in the land appropriated to official emoluments separately recorded, to bear proportional rate of jodi assessed under 1, Rule XV.

Rule XVII.

Official land may be relinquished.

Rule XVIII.

Incumbents to be paid wholly in cash.

Rule XIX.

Separate Patel for each village. One Shanbhog may hold as many villages as will give him Rs. 60 per annum.

The above is an analysis of the rules

The essential principles of the new settlement are contained in Rule IV, 1 to 7 and Rule V, 1 & 2.

And I confess that I neither understand the principle on which the additional fixed payments are made nor 1 and 2 of Rule V.

The majority of the remaining rules may be disposed of easily enough though questions may be raised on points in Rules I, VIII, XVIII and perhaps VI.

In submitting the rules, the substance of Colonel Anderson's letter is as follows:—

His first 4 paras describe the present sources of payment ; *viz*, land, cash and fees, of which the latter are to be excluded from calculations.

Of the 8 explanatory concluding paras,

5 states that the rules are framed on those of Bombay modified by circumstances.

6 relates to Rule XV.

7 recommends an additional rule forbidding sharing of salaries.

8 & 9--Explain that the period between settlement of salaries and final introduction of vernacular statements is generally two years, during which an *ad-interim* compensation for "Aya" is awarded.

10 recommends that Shanbhogs should live in a named village of their charge.

11 and 12 conclusion.

There is nothing in any of these paras that would occasion difficulty.

The solution of the whole question is involved in the scale and subsidiary rules before specified.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Commissioner of Mysore, No. 456, dated Dharwar, 12th July 1867.

I beg that I may be favored with early answer to my letter No. 259 of the 12th April last, regarding the temporary remuneration of the village officers of the Harihar Taluk, at present the remuneration of those officers is most insufficient, my proposed plan will effectually remedy this for the present and its introduction as a part of the settlement is urgently called for.

From the Officiating Secretary to the Commissioner of Mysore, To the Officiating Survey and Settlement Commissioner in Mysore, No. 4903—R. 43, dated Bangalore, 28th November 1867.

In acknowledging the receipt of Lieutenant-Colonel Anderson's letter No. 456 of the 12th July 1867, requesting a reply to a previous communication No. 259 of the 10th April 1867, in which certain proposals are made for remunerating the village officers of the Harihar Taluk, owing to the abolition of "Aya" or grain levies by the operation of the survey settlement, I am directed to observe that on receipt of your letter No. 102 of the 1st May 1866, the Commissioner considered it necessary to enter carefully into the whole question, and accordingly invited the expression of the Superintendents' opinions as to any objections which occurred to them to the adoption of Colonel Anderson's views. Their opinions as well as Mr. Bowring's observations thereon were communicated at length in this office letter No. 2429—23 of the 24th August 1866, in which a full representation was made of the supposed difficulties in carrying out the scheme advocated by Colonel Anderson. Subsequently his letter No. 219 of the 25th March 1867 was received in this office, but it does not appear that any orders were passed thereon by the Officiating Commissioner. The latter communication was succeeded by Colonel Anderson's letter No. 259 of the 10th

April 1867 already quoted, and with reference thereto, I am directed to state that having regard to the arrangement therein suggested being avowedly of a tentative nature, and an ad-interim scheme until the permanent scale and mode of remuneration are eventually determined, the Commissioner has no hesitation in according his assent to its temporary adoption on the understanding that it may be subsequently amended, should circumstances necessitate this being done.

From the Acting Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 1222, dated Poona, 17th November 1868.

With reference to the correspondence marginally noted, and with reference also to Rule VIII. D of the Land Inam Settlement Rules for Mysore, I have the honor of enclosing for the consideration of the Commissioner a rough draft of rules for the permanent settlement of the remuneration of Shanbhogs and Patels for service rendered to the State.

A Survey and Settlement Commissioner, to Secretary to the Commissioner of Mysore, No. 102 of 1st May 1866.

F The Secretary to the Commissioner, to the Survey and Settlement Commissioner, No. 2429—23 of 24th August 1866.

H Survey and Settlement Commissioner, to the Secretary to the Commissioner of Mysore, No. 456 of 12th July 1867.

J Secretary to the Commissioner, to Officiating Survey and Settlement Commissioner, No. 4903—43, dated 28th November 1867.

2. I find that many officers of the Commission, European and Native, are of opinion that cash payment for service is neither desirable *nor* politic, and that remuneration in land, conferring as it would substantial and tangible benefit and giving a status which no cash remuneration would carry with it, would be much more popular with the recipients, and further that the working of a scheme based on this system would be, in comparison, very much more simple and intelligible, because

All cash payments would be entirely got rid of.

It would be the very best way of recognizing the hereditary nature of the office.

It would most effectually protect the village officers from the peculation, of petty officials, inseparable from a cash payment system.

3. Concurring as I do, generally in this view of the question, and considering especially the probable future of Mysore, I have drafted the accompanying rules having for their object—

I. The settlement once for all by grants of land of the remuneration of village and Magani Shanbhogs and Patels.

II. The cessation of the annual payment to Shanbhogs and Patels of compensation granted for loss of "Aya", the levy of which is prohibited under the revenue survey system.

III. The abolition of cash payments to Shanbhogs and Patels.

4. It seems possible to introduce this system without interfering, in any way, with present actual possession of service land, even if it is in excess of the requirements of Government for the remuneration of officiators, always provided that it has not been alienated from the "Hak."

5. Although the rules require no explanation, it seems desirable that I should point out to the Commissioner some of the difficulties which I see in carrying them out.

6. It is absolutely necessary for many reasons that the remuneration should be fixed once for all and not be subject to revision quinquennially or decenially (as cultivation and revenue increase) which, however simple under a cash payment system, would be well nigh impracticable under that now proposed.

7. To meet this difficulty I propose to fix a percentage as remuneration not on the present or average realizations on the *cultivated* area, but on the revenue survey assessment of all on the culturable lands of the village [known technically as the survey kamal.]

8. But it will be apparent that this plan would have very unfair incidence in many cases—For example,

Village A.

	Rs.
Assessment of cultivated land	1,500
Do waste culturable land	500
Survey Kamal ..	2,000

Officiating Shanbhog's remuneration in land (according to the proposed scale) to the value of Rs. 120

Village B.

Assessment of cultivated land	500
Do culturable waste land	1,500
Survey Kamal ..	2,000

Shanbhog's remuneration the *same* as in Village A. So that a Shanbhog would be just as well remunerated for having next to nothing to do in a comparatively waste village, as he would in a fully cultivated village, where the work would be heavy.

9. How is this difficulty to be met so as to avoid the necessity for periodical revisions of remuneration as cultivation increases? Would it be best done by making the scale, say 5 per cent on the realizations of the year succeeding the settlement, and one per cent on the assessment of all the waste land remaining—up to the full survey kamal—or, by fixing a sliding scale of jodi to be gradually reduced as cultivation increases, till, when the whole culturable area shall have been brought under cultivation, the fluctuating jodi would be no longer imposable?

10. I am in favor of the former plan, for the latter would be inquisitorial, would entail perpetual official interference and might open a door to fraud.

When once a settlement is made, all official interference should cease.

11. Now what would be the effect of the application of the former plan in the cases given above?

Village A.

	Rs.	Rs.
Realizations on cultivated land ..	1,500 at 5 per cent,	75
Assessment of culturable waste ..	500 at 1 per cent,	5
Survey Kamal	2,000	
Value of remuneration in land		80

Village B.

	Rs.	Rs.
Realizations on cultivated land ..	500 at 5 per cent,	25
Assessment of culturable waste ..	1,500 at 1 per cent,	15
Survey Kamal	2,000	
Value of Remuneration in land		40

This, although not strictly fair, is the best alternative plan I can think of. In the one case the remuneration would be 4 per cent on the entire "Kamal," and in the other 2 per cent.

12. Still another plan occurs to me, should the proposed one not to be approved *viz.*, that the lands might be granted as proposed up to a fixed percentage, on the survey kamal, for the support of the entire family interested in the "Hak" and the remuneration of the officiator might be provided by a jodi on the lands.

Perhaps if the salary of the officiator were to be fixed at half the value of the "Hak" it would be enough. Thus if the assessment of the lands of the "Hak" is Rs. 200, and A the officiator, himself holds lands assessed at Rs. 50, I would get the balance by putting a jodi of 5 annas 4 pies in the rupee on the other shares or (which would be simpler) assess *all* the land up to 8 annas in the rupee, the levy on A's share being merely nominal. This would not be quite so fair but would prevent discussion as to who holds such and such fields.

In the 1st case.—A would get half the value of the "Hak" *inclusive* of his own share of the land, and

In the 2nd case.—He would get half the value of the "Hak" in cash, plus his own share of the land, minus half its assessment.

Now this plan entails the necessity for the objectionable system of *cash payment* to the officiator, and notwithstanding the many difficulties that may occur in carrying out the land remuneration system, as I have said before, I think it would be, more popular, more easily worked when once settled, less complicated for officials, and better understood by the people than any other.

13. There is, however, no occasion to attempt the introduction of a permanent settlement of Shanbhogs and Patels' "Haks," till the subject shall have been very carefully considered in all its bearings; for the present, tentative arrangement has been introduced in all the taluks settled up to last year and will in a few weeks be extended to the last settled taluk.

Rules for the settlement of Shanbhogs and Patels' Haks in Mysore ordered to be carried out by the Survey Department by Rule VIII D of the Inam Rules for Mysore.

I.

Remuneration for service shall be entirely in land, and not in cash or grain or other levies.

II.

When this settlement shall come into operation cash allowances will cease.

III.

The payment of compensation (for "Aya" and other levies from the ryots abolished by the revenue survey system) will cease on the introduction of this settlement.

IV.

For the purposes of this settlement, the statement kept in each Cutcherry of the "Haks" and emoluments of village officers, in accordance with the Commissioner's Circular No. 2857—17 of the 5th November 1863, shall be held to be an authentic record (as also the register made in accordance with para 2 of the Notification of the Commissioner, dated 11th September 1835).

V.

Shanbhogs' scale.

The remuneration of Shanbhogs shall be in land, the survey assessment of which shall be equal to 6 per cent of the entire assessment of the culturable land of the village according to the revenue survey (survey kamal).

VI.

Patels' scale.

The remuneration of Patels shall be in land, the survey assessment of which shall be equal to 4 per cent of the entire revenue survey assessment of all the culturable land of the village.

VII.

As the above remuneration is inclusive, no extra grant on account of stationery will be allowed.

VIII.

It is hereby declared—

(*a*) That all lands either confirmed or granted by this settlement are inalienable from the officers to which they are attached, (whether by mortgage sale, gift or otherwise,) and that they shall not be liable to attachment or other process in satisfaction of judicial decrees.

(*b*) That the offices of Shanbhog and Patel are, as a general rule, hereditary and to be enjoyed by father and son in succession, but in case it may appear to the Superintendent of Division that the hereditary claimant is unfit or, from bad character, unworthy of the office, the Superintendent will employ a person properly qualified, who is always, if possible, to be a near relative (of the late Shanbhog or Patel as the case may be) who will succeed to the service lands attached to the office.

X.

How the Survey office will proceed when the revenue survey assessment of land now held for service is equal to 6 per cent in case of Shanbhogs and 4 per cent in case of Patels of the full survey kamal.

When there are no co-sharers.—When the revenue survey assessment of lands entered as service in column 31 of the above mentioned statement shall be equal to 6 per cent in the case of Shanbhogs and 4 per cent in the case of Patels, of the revenue survey assessment of all the arable land of the village, such lands shall be entered in the name of the present officiator, (as service inam), who shall receive a sannad descriptive of the same.

XI.

How the Survey office will proceed when the revenue survey assessment of land now held for service exceeds in the case of Shanbhogs 6 per cent and in case of Patels 4 per cent of the revenue survey assessment of all the arable lands of the village.

When the revenue survey assessment of lands entered as service in column 31 of the above mentioned statement shall in the case of Shanbhogs exceed 6 per cent and in the case of Patels 4 per cent of the revenue survey assessment of all the culturable lands in the village, a jodi equal to the difference shall be imposed on the service land. A sannad will be given.

* NOTE.—Or a jodi might be imposed according to the following sliding scale :—

On excess between	Rs.	5	and	10	As. 2
Do	„	11	„	20	„ 3
Do	„	41	„	60	„ 4
Do	„	61	„	80	„ 6
Do	„	81	„	100	„ 7
	above	100			„ 8

XII.

How the Survey office shall proceed when the revenue survey assessment of all the service land does not amount to 6 per cent in case of Shanbhogs and 4 per cent in case of Patels of all the assessed land of the village.

When the revenue survey assessment of lands at present held for service as entered in column 31 of the above mentioned statement, shall fall short of 6 per cent in the case of Shanbhogs and 4 per cent in case of Patels, of the full survey assessment of all the assessed lands of the village, good arable waste land (to be selected by the Survey office) the assessment of which is equal to the difference, shall be entered as service in the name of the officiator, to whom a sannad shall be given.

XIII.

How the Survey office is to proceed when no land is entered as service.

When no land is at present held for service, and the remuneration is by cash payment only, the Survey office will select good arable waste land, the revenue survey assessment of which is equal to 6 per cent, in the case of Shanbhogs, and 4 per cent in case of Patels, of the revenue survey assessment of all the culturable lands of the village. This land will be entered as service in the name of the present officiator, and all cash payments will cease thereafter, a sannad will be granted.

XIV.

How the Survey office shall proceed when co-sharers are in joint possession of service land.

At the time of making the settlement, all co-shares of the hak must be informed—

1st. That the name of the officiator will be entered in the survey records.

2nd. That the officiator will be entitled to land assessed up to the full percentage before they can receive anything.

3rd. That (this notwithstanding) in cases when the revenue survey assessment of all the lands held for service is in excess of the percentage remuneration fixed for the officiator, Government will not interfere with any of the land in possession of the 'hakdars, beyond imposing a jodi equal to the difference between the remuneration fixed for the officiator, and the full survey assessment (or according to the sliding scale shown in note to Rule XI.)

When the revenue survey assessment of the entire lands of a co-shared service hak shall not amount to 6 per cent in the case of Shanbhogs and 4 per cent in case of Patels of the revenue survey assessment of all the culturable lands of the village, the officiator shall be put in possession of good arable waste land assessed to the amount of the difference. The land so given to make up this difference shall be added to the present hak and shall be entered as service, a sannad for the whole being given to the officiator.

XV.

How the Survey officers shall proceed when the land is partitioned amongst the co-sharers of the hak.

(*a*) When the revenue survey assessment of the entire service lands of a hak (*which is partitioned amongst the co-sharers*) shall exceed the percentage remuneration fixed by Rules V and VI, the Survey officer will first see whether the share actually held or cultivated by the officiator is assessed to the required amount. In case it should be, it will be entered in his name as service inam, for which he will receive a sannad. On the remainder of the land (excess) held by the other sharers a jodi equal to the difference between the assessment of the officiator's share (*i. e.* the authorized remuneration), and the full assessment of all the lands of the hak will be imposed (*or* according to sliding scale as shown in Rule XI.)

(*b*) But in case the share of the land, of which the officiator is in actual possession, is not assessed to the full amount of the percentage allowed, then there will be a lien on the land in the possession of the other sharers up to the full amount of the percentage, after which if there should be any excess, a jodi will be imposed thereon to the amount of the difference between the full assessment and the remuneration allowed by Rules V and VI, (or the jodi will be imposed according to the sliding scale shown in the note to Rule XI.)

XVI.

In all settlements the amount of existing jodis will be considered and adjusted in fixing jodi on account of excess.

XVII.

In all cases sannads will be granted on behalf of the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, setting forth—

1*st.* The name of the officiator and the service for which the land is granted.

2*nd.* The area of the land granted.

3*rd.* The revenue survey assessment of the land.

4*th.* If the assessment exceeds the authorized remuneration, the amount of the excess to be noted.

5*th.* Amount of jodi, if any.

6*th.* Amount of new jodi inclusive of jodi on account of excess.

XVIII.

If, when making the settlement, it should be discovered that any land attached to a service hak has been alienated from that hak by *transfer, sale or mortgage in contravention of the Notification of the Commissioner under date 11th September 1835, it shall be fully assessed, and new land of equal value shall be granted.

* Caveat emptor.

From the Acting Superintendent, Ashtagram Division, To the Secretary to the Commissioner of Mysore, No. 4744—Rev. 207, dated Mysore, 16th February 1869.

In acknowledging the receipt of Circuit No. 20, dated 25th November 1868, on the subject of the remuneration of Shanbhogs and Patels, I have the honor to make the following remarks.

2. In Rule 5, Major Prescott proposes for Shanbhogs, land valued at 6 per cent of the assessment of the entire culturable land of the village ; but in paras 9 and 11 of his covering letter he favors another plan, which would give only 4 per cent in one case, and 2 per cent in another.

3. If rule 5 is to stand, there will in many instances occur the anomaly, pointed out in his 8th para, of a man obtaining land assessed at Rs. 120 for collecting Rs. 1,500 and of another obtaining equally valuable land for collecting only Rs. 500.

4. The plan referred to in paras 9 and 11 is an economical one, and allows therefore of modifications being made according to circumstances, especially in regard to villages like B, where the greater portion of the culturable land is waste.

5. In such cases, and when it is probable that a demand for land will arise, the calculation might be thus—

	Rs.
Revenue on cultivated land, Rs. 500, at 4 per cent ..	20
Assessment of culturable waste, Rs. 1,500, at 2 per cent ..	30
Value of remuneration in land ..	50

6. The sliding scale of jodi mentioned by Colonel Prescott at the end of his para 9 would tend to correct the unequal results of the application of rule 5 ; and although under present circumstances there would be room for fraud in ascertaining

the extent of land brought under cultivation from year to year, this information will be obtained with comparative ease and precision, when the revenue survey has been everywhere introduced.

7. The office of Shanbhog and Patel being declared to be hereditary and being endowed with land, and confirmed by sannad, the causes of disqualification should be set forth, and the authority having power to change the succession designated.

8. In the case of an actual incumbent, the nature of the offences for which he may be dismissed, and the procedure to be followed when his nearest heir is to be excluded, or is not qualified, should be indicated.

9. Under the proposed rules, co-sharers in Shanbhog and Patel haks, will, it is presumed, cease to be recognized; and on the death of an incumbent, his nearest male heir will succeed if he is qualified. It appears to be necessary to specify who the nearest legal male heir shall be held to be, as by the laws of inheritance, sons in some cases, and brothers in others, have a right to equal shares.

10. The policy of attaching to the Government in the manner proposed, men with influence among the cultivating classes, will probably not be denied. At the same time, the terms and conditions on which they are to hold the favorable positions which it is intended to assign to them should be well understood and defined.

11. No other class of Government servants will have so strong a hold of their appointments as will these village officials.

L

From the Superintendent of the Nundydroog Division, To the Secretary to the Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 4860—Rev. 179, dated Srinivaspur, 16th February 1869.

With reference to your Circular No. 20 of the 25th November 1868, forwarding for such observations as I may wish to offer, copy of a letter No. 1222 of the 17th idem from the Acting Survey and Settlement Commissioner, with draft rules for the permanent settlement of remuneration to Shanbhogs and Patels for service rendered to the State, I have the honor to submit the following remarks for Mr. Bowring's consideration.

Lee J. p.16

2. I moreover forwarded the papers to the Deputy Superintendents and I beg to append for the Commissioner's perusal copies of their replies* containing an expression of their views on the subject of the proposed rules.

L-1 *Bangalore No. 794 of the 22nd January 1869.
L-2 Kolar No. 1095—465 of the 23rd December 1868.
L-3 Tumkur No. 1132—413 of the 31st December 1868.

3. The Deputy Superintendents are all in favor of remuneration in land, and I concur with them on this point, as I am of opinion that the grant of land at the rate of even 6 per cent on the annual realizations would be considered a far more valuable concession by all village officers than remuneration in cash equal to double the amount thereby obtained.

4. The views of the Deputy Superintendents though differing in detail as to the actual percentage which should be given to Shanbhogs and Patels respectively, are concurrent in considering a percentage, the only correct and practicable basis of payment, and in this, I think, they are right, and I feel bound to concur with the Kolar Deputy Superintendent in considering the rate of remuneration in the case of waste land too little; I think it should be 2 per cent instead of 1; under which arrangement the Shanbhogs would be given 7 per cent in land and the Patels 5 per cent.

5. The elaborations suggested by the Deputy Superintendents of the Kolar and Tumkur Districts appear to me too complicated; the more simple the arrangement is, the more easily will it be understood, the better appreciated, and the more rapidly carried out.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

6. The Kolar Deputy does not seem to fancy making Patels too powerful; whereas, I am of opinion that the more influence we can give to Patels, the better for the people and the Government; a counterpoise is now wanted to the very great and unsatisfactory influence which the Shanbhogs possess. I should be glad, therefore, to see every asli village with one Patel, all hamlets belonging to it to be considered as a portion of the village; the remuneration to be calculated on the full realizations obtained according to the survey kamal from the asli village and its hamlets together.

7. The Deputy Superintendent should, I think, be ordered to register Patels throughout the Division on this principle at once; as such a proceeding would greatly facilitate matters for the Survey officers, and immediate registration throughout the Division will moreover save District officers much trouble hereafter, as there will undoubtedly be many rival claimants, the moment the prospective advantages of the position become rumoured abroad.

8. Where there are two Shanbhogs, one sarkar and the other village, the Government should, I think, keep the best man, the one who loses his employment being given any land he may hold in virtue of the office on the usual rate of assessment.

9. I do not think Brahmins make good Patels, so I cannot endorse Mr. Krishnaiengar's suggestion to the effect that the deficiencies in the ranks of the Patels should be made good from the class referred to in the last para.

10. Major Puckle's suggestion that the Patels and Shanbhogs should be allowed to cultivate what they please when the land is made over to them, is I conclude, a standing principle of the Survey and Settlement Department; the only question for disposal I fancy in such cases being whether water rate is to be charged or not, when the land has not been previously irrigated by water from a Government tank, and will be hereafter.

11. In all other respects, I think, the rules proposed by Major Prescott very good and applicable. And I would strongly urge the full and final settlement in each District of this question of remuneration as the survey itself progresses.

From the Deputy Superintendent, Bangalore District, To the Superintendent, Nundydroog Division, No. 794, dated Camp Hoskote, 22nd January 1869.

L-1

In reply to your docket No. 3627—366, dated 10th ultimo, forwarding for opinion copy of correspondence on the subject of the proposed rules for remuneration of Shanbhogs and Patels, I have the honor to submit the following report.

2. Having only just taken charge of the District, I feel diffident in expressing a decided opinion. The payment in land would, I think, be the most popular and the mirasdar would consider this a more honorable remuneration than any money payment which has also other disadvantages connected with it.

3. The rules drawn up by Major Prescott seem suitable, their whole tenor is to substitute accuracy for inaccuracy and a mirasdar will have a certain area of land for the performance of certain duties regarding which in future there can scarcely be any boundary complaints.

4. Perhaps as a stimulus to industry, it might be well to add a clause that after the boundaries of these lands have been fixed, the hakdars may grow without interference any crop they may choose to take the trouble to raise whether dry, wet or bagayat, and that in no case will a claim for remission on account of adverse seasons be entertained.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

L-2

From the Deputy Superintendent, Kolar District, To the Superintendent, Nundydroog Division, No. 1095—465, dated Camp Srinivaspur, 23rd December 1868.

I have the honor to acknowledge the receipt of your docket No. 3627—381 of the 10th instant, giving cover to copy of correspondence and draft rules bearing upon the permanent settlement of remuneration to Shanbhogs and Patels. In reply, I beg to state that I fully concur with Major Prescott in thinking that remuneration in lands will be more popular with the recipients than a cash payment, and that the carrying of a scheme founded on that principle will practically be very simple and satisfactory.

2. Major Prescott advances three different principles for regulating the scale of remuneration, all these having for their criterion the survey kamal or the revenue assessment of all the culturable lands of a village. They are, *firstly*—the settlement once for all the amount of remuneration at an uniform rate of 6 per cent on the surway kamal without reference to the extent of cultivated or culturable lands of the village ; *secondly*—fixing the remuneration once for all for 5 per cent on the cultivated area and 1 per cent on the culturable waste and *thirdly*—fixing a sliding scale of jodi subject to a gradual reduction with the increase of cultivation. I agree with Major Prescott in rejecting the first and third schemes, the former on account of its unfavorable influence on the interests of Government, and of its unfair tendency when contrasted with the responsibilities and labor devolving on a Shanbhog or Patel who has more waste and less cultivation in his village and the latter because of its susceptibility of official interference of chicanery, the prevention of which being the main object of a permanent settlement.

3. The second proposal is the best in my opinion, but I would fix the percentage on the cultivated area at 6 instead of 5 per cent and on the culturable waste land at 3 instead of 1 per cent proposed by the Survey Commissioner in the case of Shanbhogs, and 4 and 2 per cent respectively in the case of Patels. I am induced to advocate the adoption of the above scale in fairness to the recipients as well as to the interests of Government. As waste lands are brought under cultivation for which there is every inducement under the survey system, so the duties and responsibilities of the Shanbhog and Patel will proportionately increase, and 1 per cent besides being a somewhat unfair recompense will give rise to a spirit of discontent after waste lands are brought under the plough.

4. The nature of the important duties required of a Patel do not in my opinion permit his having a cluster of detached villages in his jurisdiction and some villages owing to their isolated situation not admitting of an amalgamation with others can hardly afford to yield themselves a decent and respectable living to Patels of their own. I would therefore propose that as a rule each asli or independent village should have a Patel and there should be a minimum and maximum limits for the remuneration to this class of servants so as to prevent its becoming in the one case too trivial and insignificant and on the other inordinately large. The minimum should not be less than Rs. 10 per annum, while the maximum should not exceed Rs. 36 per annum at the most, the saving effected on the latter principle counterbalancing any loss which the Government may have to sustain by the former principle. I am sure the Patels will be satisfied with this arrangement as at present, the majority of them possess nothing as Pateli hak except the sweepings of the village.

5. I take this opportunity of bringing to your notice that there are two classes of Shanbhogs in most of the Taluks of this District, one is the Village Shanbhog and the other is called Sarkar Shanbhog. The origin of the latter is to be traced to the time of the ancient Pallegars who ruled over the country previous to the Muhammadan conquest of Mysore. They seem to have been originally intended as a check over the conduct and proceedings of the Village Shanbhog and to prevent the latter from causing loss to the State revenue. The Sarkar Shanbhogs are hereditary servants and like their brothern of the village, they are remunerated in land. After the introduction of the survey, the retention of these two different classes of officials for one and the same description of duty appearing to me improbable, if not inadvisable, the services

of the Sarkar Shanbhogs may be utilized by converting them to Patels in villages which are now devoid of that description of officials and regulating their present holding on the scale prescribed for the latter class.

From the Deputy Superintendent, Tumkur District, To the Superintendent, Nundydroog Division, Genl. No. 113—413, dated Camp Siravara, 31st December 1868.

L-3

In reply to your No. 3627—366 of the 10th intant, giving cover to a letter and draft rules proposed by Acting Survey and Settlement Commissioner for the remuneration of the village Shanbhogs and Patels, and requesting an expression of my opinion thereon, I have the honor to offer the following remarks.

2. I observe in the last or 13th para of Major Prescott's letter, that it is deemed inadvisable at present to attempt any permanent settlement of these haks, and that the enforcement of the rules or any modification of them is only to be a tentative measure, but it appears to me that the present is the most opportune time for a permanent settlement thereof, and that full details on which the question in all its bearings may be considered are available now and may enable a permanent settlement to be made, as the survey operations advance, and this course will give more satisfaction and be accepted as much more of a boon if known to be a permanent instead of a temporary arrangement.

3. I have no hesitation in most thoroughly agreeing in the main principle that the service remuneration should be in land and that all cash payments and perquisites of office should entirely cease.

4. The difficulty that offers itself to Major Prescott is the unequal incidence of the remuneration that will be enjoyed by the office holder in proportion to the irksomeness of his duties; I have carefully considered the various methods proposed to assimilate the remuneration to the amount of work to be performed and cannot but agree with the Survey Commissioner that none of the alternatives proposed fully meet the case.

5. It appears to me that 6 and 4 per cent of the survey kamal of a village may generally be taken as the rate at which to fix the remuneration of Shanbhog and Patel, and that the objection of unequal remuneration arising from this plan may, in a measure, be met by a classification of villages according to the survey kamal, and thus restrict the unequal incidence of remuneration within certain prescribed limits; and I shall proceed to show how this may, in my humble opinion, be effected.

6. The remuneration at 6 per cent might, in special cases, be inadequately high or low, and hence I have used the word "generally" in the foregoing para.

7. The classification of villages proposed is as follows:—

	Remuneration in land to Shanbhog of an equivalent of—		Remuneration in land to Patel of an equivalent of—		
	Mensem. Rs.	Annum. Rs.	Mensem. Rs.	Annum. Rs.	
Village or group of villages revenue as per survey kamal not less than 750 or exceeding 1,000	*5	60	†3⅓	40	*The lowest sum even in land in which honesty with education can be expected.
Village or group, &c., from Rs. 1,000 to 1,500.	7½	90	5	60	†Rather lower than a Taluk Peon but more valuable being in land.
Do do from 1,500 to 2,000.	10	120	6⅔	80	
Above Rs. 2,000... ...	12	144	8	96	

8. The present remuneration to Shanbhogs in 1st class villages including land, cash payments or perquisites, may be said not to exceed 8 rupees per mensem by the conversion of batayi into nagadiyat lands, their labor of late years has being much reduced, and the completion of the survey operations will again materially relieve them; and therefore if put in possession of an unalienable hereditary inam land valued at the proposed rates, their position is decidedly bettered.

9. Many almost waste and depopulated villages are to be found every where, and in such cases where the survey kamal is small in my opinion, such villages should be attached to or grouped with another or others till the kamal of Rs. 750 at least is reached or exceeded as might be. The attached village or villages to be called majare or secondary, the one to which attached mauje or primary, the Shanbhog and Patel of which latter would be the officiator to do the duty of both or all the villages.

10. Should this plan be considered worthy of notice the present period of the survey operations is undoubtedly that at which to decide whichare to be "Mauje" or "Majare" villages and then the only question remaining for disposal is, what is to be done with the present holders and their inam holdings? I think that in consideration of their long enjoyment, their holdings might be continued to them on a quit-rent; but those who have been paid hitherto in cash or kind would lose their emoluments along with their duties, and this could scarcely be construed into a hardship as henceforth they are free and have no service to render.

11. With reference to Rule XV, I am of opinion that the jodi equal to the difference between the authorized remuneration laid down in Rules V and VI and the full assessment, might be imposed in preference to the sliding scale laid down in Rule XI, as the proposed remuneration is, I consider, ample, and this rule I would apply indiscriminately whether the excess land was in the occupation of the officiator or of share-holders on partition.

12. In conclusion, I beg to state that I fully concur in the provisions of all the other rules as advantageous alike to holders, to the people generally, and to the Government and a system that will be easier worked as none but the officiator will be recognized by the Government.

From the Superintendent, Nagar Division, To the Secretary to the Commissioner of Mysore, Circuit No. F., dated Camp Hariharpur, 6th March 1869.

I have the honor to acknowledge receipt of your letter Circular No. 20 of 25th November 1868, forwarding papers received from the Acting Survey and Settlement Commissioner on the subject of the permanent settlement of the remuneration of Patels and Shanbhogs.

By some apparently accidental oversight in the office of the Deputy Superintendent, Shimoga, the papers in question were not circulated to the other Deputy Superintendents, for whose reports, my reply to your letter has been deferred; but as these have not yet been received, they will be forwarded hereafter; that of the Deputy Superintendent of Shimoga is enclosed.

In the former correspondence with Colonel Anderson, the Commissioner has so clearly expressed an opinion regarding the best mode of remunerating Patels and Shanbhogs; that further discussion on this branch of the subject would be out of place. Colonel Prescott details the advantages attaching to the system of payment in land rather than in cash, and it is beyond all question that this form of payment is more popular than others in the Maidan Taluks.

Survey Commissioner.
Paras 2, 3.
Rules I, II & III.

I shall therefore only allude to the other points discussed which seem to require remarks.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

I. The value of the land to be given.

Rules I, II & III.

II. The adjustment of this in cases of excess or deficiency in the quantity of land now held.

III. Assignment to officiators and co-sharers.

IV. The guarantee of title.

I.

Letter, para 6 and 13.

The only apparent objection to the rates of 6 and 4 per cent on the culturable land is that pointed out by Colonel Prescott, and of the alternative measures proposed by him, I concur in thinking that first described to be the best, though defective so far that an arbitrary era, *viz.*, the year of survey and settlement is taken and the cultivation may vary considerably. For instance what would be the result of this permanent settlement if made in a year when all the inhabitants had temporarily migrated from a village during a scarcity, of which many instances are known.

II.

Rules X to XIII inclusive.

Relate to the procedure for providing the proper quantity of land for individual officials when there are no co-sharers, and seem excellent.

III.

Rules XIV & XV.

These rules deal with 2 classes of cases. 1st, where co-sharers are in joint enjoyment of land claimed as service inam, 2nd, where the land has been partitioned among them.

The principle laid down appears to me unexceptional. One individual is to be appointed as the recognized agent of Government; the regulated provision is to be first made for him from the land already held by the co-sharers if this is sufficient, or if insufficient, to be supplemented by Government land, while the co-sharers are liberally treated by being permitted to hold such land as may remain after providing for the sannaddar on jodi. The confusion that exists at present will be get rid off, as all surplus land will be excluded from the category of service inam, and one individual holding a sannad will alone have any claim to exercise official functions, the others becoming simply inamdars without official status.

IV.

Guarantee of titles.

On this point I would refer to the reply of the Deputy Superintendent of Shimoga and state that his remarks regarding the registers in question are quite worthy of attention, and that I consider it advisable to take some precautions before issuing sannads entirely on the authority of the documents in question.

I should say that the registers might be taken as *primâ facie* but not conclusive evidence of right, and that as the settlement proceeds, the extent and locality of the service inam should be settled by the Survey Department in conjunction with the Amildar and that this having been done, a notice should be issued declaring that a sannad would be issued in the name of the party entered in the register unless a claimant appeared within a time to be specified in the notice. This case would be disposed of in the usual course of revenue procedure, as claims to haks, an appeal lying to the Superintendent, whose decision would be final.

This course would only be applicable to cases in which the names of persons have been entered in the registers without any decision having been passed regarding their claims since the formation of the registers. In all instances in which a decision has been passed by a Deputy Superintendent, without appeal having been made, or by a Superintendent on appeal, a sannad should issue at once.

The question of remunerating Malnad Patels and Shanbhogs has been separately noticed by the Commissioner, the peculiarities attaching to that part of the country rendering it necessary to consider the expediency of adopting cash payments in places where land possesses no value from the scarcity of labor and unhealthiness of the climate.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

M-1

From the Deputy Superintendent, Shimoga District, To the Superintendent, Nagar Division, No. 766, dated Shimoga, 11th January 1869.

With reference to your docket No. 404, dated 10th December 1868, forwarding for opinion copy of a rule relating to the emoluments of the village officials, I have the honor to state the following for your consideration.

The Rule IV says that for the settlement of village officials, the register of the year 1835 and 1863 should be taken as a guide, but my personal experience convinces me that the informations therein mentioned are hardly to be relied on for the following reasons :—

1st. That no entry in the said registers was made upon a basis of proper investigation and reference, but on the mere information furnished by the Shanbhogs without any authority.

2nd. That several changes of the incumbents have taken place since the preparation of the registers in question, but none of them has been brought to book. It does not appear to be the practice to correct the register annually. With the exception of the above, I concur with all the other rules.

M-2

From the Officiating Deputy Superintendent, Chitaldroog District, To the Superintendent of the Nagar Division, No. 671, dated Camp Bhimasamudra, 13th March 1869.

With reference to your Circular docket No. 404, dated the 10th December last, received in circulation on the 19th February, giving cover to a communication from the Secretary to the Commissioner with enclosures, on the subject of the emoluments of village officials, I have the honor to submit the following observations :—

2. The Survey Commissioner in his letter having entered fully into, and viewed this difficult question in all its bearings, there is little room left for the remarks of others, and the few that I make are therefore offered with the greatest diffidence.

3. The first point is, what is the best means of remunerating the Shanbhogs and Patels and I have already submitted that I would prefer grants of land to money payment. The percentage proposed by the Survey Commissioner, *viz.*, 6 to Shanbhogs and 4 to the Patels, appears to be fair and reasonable. The question is as to how this is to be secured to all Shanbhogs and Patels equally with due regard to the work they have to perform, and without the necessity of occasional interference, to regulate the amount, as cultivation increases or decreases. Of the various schemes proposed there is not one which is not open to one or the other of the objections of introducing an unequal rate of compensation, or of necessitating an occasional interference, as has been shown by the Survey Commissioner.

4. One other expedient suggests itself, *viz.*, that of allowing two or three years to elapse, after the survey, before the compensation is fixed, and then to fix it upon the amount of realization, as it will have been tolerably well ascertained, by that time (unless a succession of bad seasons occurs) how much of the cultivable waste could be brought under cultivation with the existing population, and with the means at their command. When the period of the present survey settlement shall have expired, and the assessment should be revised, the scale of remuneration of the village servants will also have to be revised, a contingency to which all the other schemes proposed are subject, as the emoluments of the Shanbhogs and Patels cannot in fairness be allowed to remain stationary, while the revenue on which they are calculated undergoes any great change. If this arrangement is not approved of, the one proposed by the Survey Commissioner of allowing 5 per cent on lands under cultivation, and of one per cent on the waste, appears worthy of adoption.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

5. One more point requires to be touched upon; *viz.*, the instance of officiators either by themselves or jointly with their hakdars, holding a larger extent of land than they are entitled to, as service inams. In such cases, I would advocate the imposition of the full survey assessment on the excess as being simpler than charging a sliding scale of jodi, as proposed by the Survey Commissioner.

6. With these observations, I beg to express my general concurrence with the suggestions offered, and the rules drawn up by the Survey Commissioner.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Survey and Settlement Commissioner, Mysore, No. 6301—R. 158, dated Camp Nundydroog, 18th March 1869.

Referring to your letter No. 1222 of the 17th November 1868, I am directed by the Chief Commissioner to convey his approval of the rules proposed by you for the permanent settlement of Shanbhog and Patel haks in Mysore; and to communicate the following observations.

2. The Chief Commissioner's views regarding the remuneration to be paid to Shanbhogs and Patels were communicated in this office letter No. 2429—23 of the 24th August 1866, in which it was intimated that payment in land would probably be more acceptable, owing to the existing status of possession and popular feeling on the subject. You have expressed your concurrence in this opinion, but to prevent any fluctuation in the payment by periodical revisions, you propose that the rate of remuneration should be fixed once for all.

see F page 10

3. The Chief Commissioner assents to this proposal, and considers that the measure is justified by the fact that the value of the service land will keep pace with that of land paying revenue to Government, and thus retain a proper equilibrium.

4. In order to determine what should be fixed as a fair percentage, you suggest as a basis, the survey kamal, *i. e.*, the assessment on all culturable land in a village, whether at present cultivated or not, but as the immediate effect of this incidence would produce inequality, owing to the diverse state of cultivation in various villages, and the relatively greater or less labor entailed in making the collections, you further propose, as a remedy, that out of the maximum of 6 per cent, payable as remuneration, 5 per cent, should be calculated on the realizations of the first year after the settlement, and 1 per cent, on the culturable waste. The Superintendents of Ashtagram and Nagar assent to this proposal, while the Superintendent of Nundydroog recommends a higher rate.

5. In considering this question the main point to be determined is, what is the proper sum to be paid, and not how much land or emoluments the Shanbhogs now enjoy.

6. In the letter above quoted, the Chief Commissioner originally suggested 5 per cent, knowing that Patvaris in Upper India receive on an average but 3 per cent, the higher centage recommended for Mysore being intended to recompense the Shanbhogs for their heavier duties in this Province. In any case, the Chief Commissioner has little doubt that 6 per cent, is ample, and taking all parts of the Province together, he thinks, that the emoluments will amount to much more than the Shanbhogs now receive. The payment should be adjusted to what is right and proper, and not adapted to the circumstances of certain favored and out-of-the-way localities, where the Shanbhogs have had it all their own way, such as, in the Kolar District. The Chief Commissioner therefore entirely concurs with you in the opinion expressed on the subject.

7. The above remarks also apply to Patels.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

8. The next point which seems to demand attention is, the authenticity or otherwise of the register of service inams, on which it is intended to base the settlement.

9. On this point the Nagar Superintendent propounds a difficulty, and the Chief Commissioner is of opinion that the registers of 1863 are not to be implicitly relied upon—great trouble was taken in this office in the preparation of these forms, but from indifference on the part of some of the Deputy Superintendents, and from the want of supervision exercised over careless Amildars, the registers were, in some cases, very imperfectly prepared, or, if originally accurate, were not kept up properly from year to year. Therefore, the entries in them can only be taken for what they are worth (that is, to indicate who are the existing officiators) and are liable to be revised after more careful enquiry by the Survey Department. The term " Basis of Enquiry " has therefore been substituted for " Authentic Record," in para IV of the Rules.

10. In conclusion, I am directed to observe that if the family of a Shanbhog or Patel should be found in possession of a larger extent of land than is required according to the survey assessment, to remunerate these officials, it will be necessary, as previously pointed out, to sever the excess finally from the hak, and to impose upon it a quit-rent according to the sliding scale proposed in Note to Rule XI, such excess land will remain with the family of the hakdar, but will be liable to sale and transfer like any other land paying rent to Government, and will no longer be regarded as part of the service holding.

11. Rule XVIII should be strictly enforced.

(I)

Rules for the Settlement of Shanbhogs 'and Patels' Haks in Mysore ordered to be carried out by the Survey Department by Rule VIII D of the Inam Rules for Mysore.

I. Remuneration for service shall be entirely in land, and not in cash or grain or other levies.

II. When this settlement shall come into operation, cash allowances will cease.

III. The payment of compensation, (for " Aya" and other levies from the ryots) abolished by the revenue survey system, will cease on the introduction of this settlement.

IV. For the purposes of this settlement the statement kept in each Cutcherry of the "Haks" and emoluments of village officers, in accordance with the Commissioner's Circular No. 2857—17 of the 5th November 1863, shall be held to be the basis of enquiry ; (as also the register made in accordance with para 2 of the Notification of the Commissioner, dated 11th September 1835.)

Shanbhogs' scale.

V. The remuneration of Shanbhogs shall be in land, the survey assessment of which shall be equal to 6 per cent of the entire assessment of the culturable land of the village according to the revenue survey (Survey Kamal).

Patels' scale.

VI. The remuneration of Patels shall be in land, the survey assessment of which shall be equal to 4 per cent of the entire revenue survey assessment of all the culturable land of the village.

VII. As the above remuneration is inclusive, no extra grant on account of stationery will be allowed.

VIII. It is hereby declared—

[*a*] That all lands either confirmed or granted by this settlement are inalienable from the offices to which they are attached, (whether by mortgage, sale, gift or otherwise, and that they shall not be liable to attachment or other process in satisfaction of judicial decrees).

[*b*] That the offices of Shanbhog and Patel are, as a general rule, hereditary, and to be enjoyed by father and son in succession, but in case it may appear to the Superintendent of Division that the hereditary claimant is unfit or, from bad character, unworthy of the office, the Superintendent will employ a person properly qualified, who is always, if possible, to be a near relative (of the late Shanbhog or Patel, as the case may be), who will succeed to the service lands attached to the office.

X. When there are no co-sharers.—When the revenue survey assessment of lands entered as service in column 31 of the above mentioned statement shall be equal to 6 per cent in the case of Shanbhogs, and 4 per cent in the case of Patels, of the revenue survey assessment of all the arable lands of the village, such lands shall be entered in the name of the present officiator, (as service inam), who shall receive a sannad descriptive of the same.

How the Survey office will proceed when the revenue survey assessment of land now held for service is equal to 6 per cent in case of Shanbhogs and 4 per cent in case of Patels of the full survey kamal.

XI. When the revenue survey assessment of lands entered as service in column 31 of the above mentioned statement shall in the case of Shanbhogs exceed 6 per cent and in the case of Patels 4 per cent of the revenue survey assessment of all the culturable lands in the village, a jodi shall be imposed according to the following sliding scale:—

How the Survey office will proceed when the revenue survey assessment of land now held for service exceeds in the case of Shanbhogs 6 per cent, and in case of Patels 4 per cent of the revenue survey assessment of all the arable lands of the village.

A sannad will be given.

On excess between	5 and 10 Rs.	..	..	2	Annas.
,,	11 ,, 20 ,,	..	..	3	,,
,,	41 ,, 60 ,,	..	..	4	,,
,,	61 ,, 80 ,,	..	..	6	,,
,,	81 ,, 100 ,,	..	..	7	,,
Above	100 Rs. ..	..	..	8	,,

XII. When the revenue survey assessment of lands at present held for service, as entered in column 31 of the above mentioned statement, shall fall short of 6 per cent in the case of Shanbhogs and 4 per cent in the case of Patels, of the full survey assessment of all the assessed lands of the village, good arable waste land [to be selected by the Survey office,] the assessment of which is equal to the difference, shall be entered as service in the name of the officiator, to whom a sannad shall be given.

How the Survey office shall proceed when the revenue survey assessment of all the service land does not amount to 6 per cent in case of Shanbhogs, and 4 per cent in case of Patels of all the assessed land of the village.

XIII. When no land is at present held for service, and the remuneration is by cash payment only, the Survey office will select good arable waste land, the revenue survey assessment of which is equal to 6 per cent in the case of Shanbhogs, and 4 per cent in case of Patels, of the revenue survey assessment of all the culturable lands of the village. This land will be entered as service in the name of the present officiator, and all cash payments will cease thereafter. A sannad will be granted.

How the Survey office is to proceed when no land is entered as service.

How the Survey office shall proceed when co-sharers are in joint possession of service land.

XIV. At the time of making the settlement, all co-sharers of the hak must be informed:—

1*st*. That the name of the officiator will be entered in the survey records.

2*nd*. That the officiator will be entitled to land assessed up to the full percentage before they can receive any thing.

3*rd*. That [this notwithstanding] in cases when the revenue survey assessment of all the lands held for service, is in excess of the percentage remuneration fixed for the officiator, Government will not interfere with any of the land in possession of the hakdars, beyond imposing a jodi equal to the difference between the remuneration fixed for the officiator, and the full survey assessment [or according to the sliding scale shown in Rule XI].

When the revenue survey assessment of the entire lands of a co-shared service hak, shall not amount to 6 per cent in the case of Shanbhogs, and 4 per cent in case of Patels, of the revenue survey assessment of all the culturable lands of the village, the officiator shall be put in possession of good arable waste land assessed to the amount of the difference. The land so given to make up this difference shall be added to the present hak and shall be entered as service, a sannad for the whole being given to the officiator.

How the Survey officers shall proceed when the land is partitioned amongst the co-sharers of the hak.

XV. (*a*). When the revenue survey assessment of the entire service lands of a hak (*which is partitioned amongst the co-sharers*) shall exceed the percentage remuneration fixed by Rules V and VI, the Survey officer will first see whether the share actually held or cultivated by the officiator is assessed to the required amount. In case it should be, it will be entered in his name as service inam, for which he will receive a sannad. On the remainder of the land (excess) held by the other sharers, a jodi equal to the difference between the assessment of the officiator's share (*i. e.* the authorized remuneration) and the full assessment of all the lands of the hak will be imposed (*or* according to the sliding scale shown in Rule XI).

(*b*). But in case the share of the land, of which the officiator is in actual possession, is not assessed to the full amount of the percentage allowed, then there will be a lien on the land in the possession of the other sharers up to the full amount of the percentage, after which, if there should be any excess, a jodi will be imposed thereon to the amount of the difference between the full assessment and the remuneration allowed by Rules V and VI (or the jodi will be imposed according to the sliding scale shown in Rule XI).

XVI. In all settlements, the amount of existing jodis will be considered and adjusted in fixing jodi on account of excess.

XVII. In all cases sannads will be granted on behalf of the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, setting forth—

1st. The name of the officiator and the service for which the land is granted.

2nd. The area of the land granted.

3rd. The revenue survey assessment of the land.

4th. If the assessment exceeds the authorized remuneration, the amount of the excess to be noted.

5th. Amount of jodi, if any.

6th. Amount of new jodi inclusive of jodi on account of excess.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

XVIII. If when making the settlement it should be discovered that any land attached to a service hak has been alienated from that hak by transfer, sale, *or* mortgage, in contravention of the Notification of the Commissioner under date 11th September 1835, it shall be fully assessed, and new land of equal value shall be granted.

Caveat emptor.

From the Acting Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 531, dated Poona, 1st June 1869.

I have the honor of acknowledging the receipt of your Circuit No. 34 of the 22nd ultimo, and of enclosing a revised * copy of the rules for the settlement of Patels and Shanbhogs' haks in Mysore.

* Copies forwarded with Memo No. 469, dated 13th May 1869.

2. I shall esteem it a favor if, with reference to para 2 of your letter under reply, you will bring to the notice of the Chief Commissioner that if the word *arable* should be used in these rules, it might lead to the same misunderstanding, as the word "culturable" which also means arable, and I think as the kamal is made up of cultivated land and culturable / arable assessed waste, that the best words to use are "cultivation" and "culturable waste" which I have adopted in the revised rules annexed.

Rules for the Settlement of Shanbhogs and Patels' haks in Mysore.

NOTIFICATION.

No. 55. *The 23rd June* 1869.

The following rules for the settlement of Shanbhogs and Patels' *haks* in Mysore are promulgated for general information in lieu of those published at pages 151—153 of the *Mysore Gazette* No. 7, dated 15th May 1869.

I. Remuneration for service shall be entirely in land, and not in cash or grain or other levies.

II. When this settlement shall come into operation, cash allowances will cease

III. The payment of compensation for "*Aya*" and other levies from the ryots, (abolished by the revenue survey system), will cease on the introduction of this settlement.

IV. For the purposes of this settlement, the statement kept in each Cutcherry of the *haks* and emoluments of village officers, in accordance with the Commissioner's Circular No. 2857—17 of the 5th November 1863, shall be the basis of * enquiry; (as also the register made in accordance with para 2 of the Notification of the Commissioner, dated 11th September 1835).

V. The remuneration of Shanbhogs shall be in land, the survey assessment of which shall be equal to 5 per cent of the entire assessment of the cultivated land of the village at the time of the revenue survey settlement, plus 1 per cent on the assessment of the culturable waste, so that the centage on the entire survey *kamal* will be as under:—

Shanbhogs' scale.

5 per cent on cultivation.

1 per cent on assessed waste.

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* These registers are not to be implicitly relied on for the reasons given in para 9 of the letter from the Secretary to the Chief Commissioner, General-Revenue No. 6301—158, 1868—69, and whenever found faulty are to be revised after careful enquiry by the Survey Department.

Patels' scale.

VI. The remuneration of Patels shall be in land, the survey assessment of which shall be equal to 3 per cent of the entire revenue survey assessment of all the cultivated land of the village at the time of the revenue survey settlement, plus 1 per cent on the assessment of culturable waste, so that the centage on the entire survey *kamal* will be as under:—

3 per cent on cultivation.
1 per cent on assessed waste.

VII. As the above remuneration is inclusive, no extra grant on account of stationery will be allowed.

VIII. It is hereby declared—

(*a*) That all lands either confirmed or granted by this settlement are inalienable from the offices to which they are attached, (whether by mortgage, sale, gift, or otherwise), and that they shall not be liable to attachment or other process in satisfaction of judicial decrees.

(*b*) That the offices of Shanbhog and Patel are, as a general rule, hereditary, and to be enjoyed by father and son in succession; but in case it may appear to the Superintendent of Division that the hereditary claimant is unfit or from bad character unworthy of the office, the Superintendent will employ a person properly qualified, who is always, if possible, to be a near relative (of the late Shanbhog or Patel, as the case may be), who will succeed to the service lands attached to the office.

When there are no co-sharers.

How the Survey officer will proceed when the revenue survey assessment of land now held for service is equal to the centage laid down in Rule V for Shanbhogs, and in Rule VI for Patels.

X. When the revenue survey assessment of lands entered as service in column 31 of the statement referred to in Rule IV, shall be equal to the centage as laid down in Rule V in the case of Shanbhogs, and to that laid down in Rule VI in the case of Patels, such land shall be entered in the name of the present officiator as service inam, and he shall receive a *sannad* descriptive of the same.

How the Survey officer will proceed when the revenue survey assessment of land now held for service exceeds the centage laid down in Rules V and VI for Shanbhogs and Patels respectively.

XI. When the revenue survey assessment of lands entered as service in column 31 of the statement referred to in Rule IV shall, in the case of Shanbhogs, exceed the centage laid down in Rule V, and in case of Patels that laid down in Rule VI, a *jodi* equal to the difference may be imposed on the service land. Or, a *jodi* may be imposed according to the following sliding scale:—

On excess between 5 and 10 Rs. ...	2 Annas.	In the rupee of the revenue survey assessment.
„ 11 „ 20 „ ...	3 „	
„ 21 „ 40 „ ...	4 „	
„ 41 „ 60 „ ...	5 „	
„ 61 „ 80 „ ...	6 „	
„ 81 „ 100 „ ...	7 „	
Above 100 Rs.	8 „	

This land held in excess will, at the time of settlement, be finally severed from the *hak*, (subject to the *jodi* then fixed) will remain with the family of the *hakdar*, and will be liable to sale and transfer like any other land paying rent to Government, as it will no longer be regarded as part of the service holding.

How the Survey officer shall proceed when the revenue survey assessment of all the service land does not amount to the centage laid down in Rules V and VI for Shanbhogs and Patels respectively.

XII. When the revenue survey assessment of lands at present held for service, as entered in column 31 of the statement referred to in Rule IV, shall fall short of the centage, in Rules V and VI, laid down for Shanbhogs and Patels respectively, good arable waste land to be selected by the Survey officer, the assessment of which is equal to the difference, shall be entered as service in the name of the officiator.

XIII. When no land is at present held for service, and the remuneration is by cash payment only, the Survey officer will select good arable waste land, the revenue survey assessment of which is equal to the centage laid down in Rule V in the case of Shanbhogs, and to that laid down in Rule VI in the case of Patels. This land will be entered as service in the name of the present officiator, and all cash payments will cease thereafter.

How the Survey officer is to proceed when no land is entered as service.

When there are co-sharers.

XIV. At the time of making the settlement, all co-sharers of the *haks* must be informed:—

How the Survey officer shall proceed when co-sharers are in joint possession of service lands.

1st. That the name of the officiator will be entered in the survey records.

2nd. That the officiator will be entitled to land assessed up to the full percentage before they can receive anything.

3rd. That (this notwithstanding) in cases when the revenue survey assessment of all the lands held for service is in excess of the percentage remuneration fixed for the officiator, Government will not interfere with any of the land in possession of the *hakdars*, beyond imposing a *jodi* equal to the difference between the remuneration fixed for the officiator, and the full survey assessment (or according to the sliding scale shown in Rule XI).

When the revenue survey assessment of the entire lands of a co-shared service *hak* shall not amount to the centage laid down in Rule V in the case of Shanbhogs, or to that laid down in Rule VI in case of Patels, the officiator shall be put in possession of good arable waste land assessed to the amount of the difference. The land so given to make up this difference shall be added to the present *hak* and shall be entered as service, a *sannad* for the whole being given to the officiator.

XV. When the revenue survey assessment of the entire service lands of a *hak which is partitioned amongst the co-sharers* shall exceed the percentage remuneration fixed by Rules V and VI, the Survey officer will first see whether the share actually held or cultivated by the officiator is assessed to the required amount. In case it should be, it will be entered in his name as service *inam*, for which he will receive a *sannad*. On the remainder of the land (excess) held by the other sharers, a jodi equal to the difference between the assessment of the officiator's share (*i. e.* the authorized remuneration) and the full assessment of all the lands of the *hak* (or according to sliding scale shown in Rule XI) will be imposed. But in case the share of the land, of which the officiator is in actual possession, is not assessed to the full amount of the centage allowed, there then will be a lien on the land in the possession of the other sharers up to the full amount of the percentage ; after which, if there should be any excess, a *jodi* will be imposed thereon to the amount of the difference between the full assessment and the remuneration allowed by Rules V and VI (or the *jodi* will be imposed according to the sliding scale shown in Rule XI).

How the Survey officer shall proceed when the land is partitioned amongst the co-sharers of the *hak*.

XVI. In all settlements, the amount of existing *jodis* will be considered and adjusted in fixing the amount of excess.

XVII. In all cases *sannads* will be granted on behalf of the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, setting forth—

1st. The names of the officiator and the service for which the land is granted.

2nd. The area of the land granted.

3rd. The revenue survey assessment of the land.
4th. If the assessment exceeds the authorized remuneration, the extent of the excess struck out of the *hak*.
5th. Amount of old *jodi*, if any.
6th. Amount of new *jodi*, if any.
7th. *Jodi* on excess struck out of *hak* and from whom leviable.

XVIII. If when making the settlement it should be discovered that any land attached to a service *hak* has been alienated from that *hak* by transfer, sale, or mortgage, in contravention of the Notification of the Commissioner under date 11th of September 1835, it shall be fully assessed and new land of equal value shall be granted.

From the Acting Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 724, dated Poona, 10th July 1869.

It has struck me that in making the settlement of Shanbhogs and Patels' allowances under the rules promulgated at page 272 of the *Mysore Government Gazette* of the 26th ultimo, we may (when individual sharers of the hak have expended capital in the improvement or irrigation of certain lands, or on other accounts) have some difficulty in assigning land to make up the quota of the officiator in cases where the assessment of the share in his own occupation does not come up to the value of his allowances by scale.

Vide Rule XV.

2. In such cases it may be expedient *with the consent of the hakdars*, to resume and fully assess the lands of the hak, granting new lands for the remuneration of the officiator.

3. I have therefore the honor of submitting for the approval and sanction of the Chief Commissioner the following supplemental rule.

Survey and Settlement Department.

Settlement of Patels and Shanbhogs' haks.

Supplementary Rule.

In carrying out the settlement of Patels and Shanbhogs' haks (under the rules published at page 272 of the *Mysore Government Gazette* of the 26th ultimo), it shall be competent to the Survey officer (with the consent of all the co-sharers of a hak) to transfer from the head of "Service Inam" to "Sarkari" all the lands of a service hak, and to impose the full assessment thereon; at the same time entering the names of the sharers according to actual possession (or as agreed upon) as survey occupants.

When such a course as this is necessary, new service lands will be granted to the officiating Patel or Shanbhog according to the provisions of Section XIII of the rules.

SURVEY AND SETTLEMENT.

NOTIFICATION BY THE CHIEF COMMISSIONER OF MYSORE.

The 16th July 1869.

No. 74.

The following rule is added to the "Rules for the settlement of Shanbhog and Patels' haks in Mysore," published at page 272 of the *Mysore Gazette* of the 26th ultimo:—

XIX. In carrying out the settlement of Patels and Shanbhogs' haks, it shall be competent to the Survey officer (with the consent of all the co-sharers of a hak) to transfer from the head of "Service Inam" to "Sarkari" all the lands of a service hak, and to impose the full assessment thereon; at the same time entering the names of the sharers according to actual possession (or as agreed upon) as survey occupants.

When such a course as this is necessary, new service lands will be granted to the officiating Patel or Shanbhog according to the provisions of Section XIII of the rules.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 110, dated Bangalore, 4th February 1870.

I have the honor to forward rules for remuneration of Patels and Shanbhogs in Mysore as decided upon in consultation with the Chief Commissioner.

Rules for the payment of officiating Patels and Shanbhogs in Mysore, for dealing with the existing emoluments of these officers and for the appointment of officiators and re-distribution of charges.

1*st.* All official land whether recorded as inam or jodi inam or otherwise shall be valued at the survey assessment of the same less the amount of the jodi tax or other cesses to which it may be subject as recorded in the public accounts of the year.

2*nd.* Cash allowances from the Government Treasury under whatever name they may be entered in the public accounts shall be recorded at the amount so entered in the accounts of the year.

3*rd.* The sum total of the emoluments valued according to the above two rules is to be taken as the existing valuation of the emoluments of the office.

4*th.* The officiating Patel and Shanbhog of each village shall hereafter receive for the performance of the duties of his office a remuneration in cash of at least the amount fixed by the following scale for these officers respectively.

5*th.* Patels' scale—

For the first thousand rupees of the gross revenues of his village three per cent, for the second thousand two per cent, and for the balance of gross revenue beyond two thousand rupees one per cent. In the case of villages where the collections do not exceed Rs. 300, he shall, in addition to the above percentages, receive a fixed annual allowance of one rupee, when the gross revenue ranges from Rs. 11 to Rs. 50 of two rupees, when the gross revenue ranges from Rs. 51 to Rs. 300, or so much of it when the gross revenue exceeds Rs. 250 as shall be required to make the salary up to but not exceed Rs. 10 per annum.

6*th.* Shanbhogs' scale—

For the first thousand rupees of the gross revenue of the village four per cent, for the second thousand three per cent, for the third thousand two per cent, for the fourth thousand 1 per cent, and for the balance of gross revenue beyond four thousand rupees one per cent.

7*th.* He shall also receive in addition a fixed allowance of one rupee when the gross revenue ranges from Rs. 11 to Rs. 75, of two rupees, when it ranges from Rs. 76 to Rs. 300, or as much of it in villages over Rs. 250 as may be required to make the salary up to but not exceed Rs. 12 per annum.

8*th.* In addition to his salary, the officiating Shanbhog shall also receive an allowance for stationery as shown in the subjoined table :—

Gross Revenue of Village.	Stationery Allowance.	Gross Revenue of Village.	Stationery Allowance.
	Rs. As. P.		Rs. As. P.
Up to Rs.		Up to Rs.	
21— 50	1 0 0	1,251—1,500	6 0 0
51— 100	2 0 0	1,501—1,800	6 8 0
101— 200	2 8 0	1,801—2,000	7 0 0
201— 350	3 0 0	2,001—2,500	7 8 0
351— 500	3 8 0	2,501—3,000	8 0 0
501— 700	4 0 0	3,001—3,500	8 8 0
701— 900	4 8 0	3,501—4,000	9 0 0
901—1,250	5 0 0	4,001—4,500	9 8 0
	5 8 0	4,501—5,000	10 0 0

9th. The following table shows the amount of salary to be paid to officiating Patels and Shanbhogs according to the preceding scale:—

Gross Revenue of the Village.	Patels' Salary.						Shanbhogs' Salary.								
	Percentage. Rates.			Amount.	Additional fixed allowance.	Total Salary.	Percentage. Rates.				Amount.	Additional fixed allowance.	Total Salary.	Stationery Allowance.	Grand total including Stationery Allowance.
	1st Thousand.	2nd Thousand.	3rd and upwards thousand.				1st Thousand.	2nd Thousand.	3rd Thousand.	4th Thousand.					
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
				Rs. As.		Rs. As.					Rs. As.		Rs. As.	Rs. As.	Rs. As.
15	3	...	...	0—12	1	1—12	4	...	...	...	0—10	1	1—10	1— 0	2—10
25	3	...	...	0—12	1	1—12	4	...	...	...	1— 0	1	2— 0	2— 0	4— 0
50	3	...	...	1— 8	1	2— 8	4	...	...	...	2— 0	1	3— 0	2— 0	5— 0
75	3	...	...	2— 4	2	4— 4	4	...	...	...	3— 0	2	5— 0	2— 8	7— 8
100	3	...	...	3— 0	2	5— 0	4	...	...	...	4— 0	2	6— 0	2— 8	8— 8
150	3	...	...	4— 8	2	6— 8	4	...	...	...	6— 0	2	8— 0	3— 0	11— 0
200	3	...	...	6— 0	2	8— 0	4	...	...	...	8— 0	2	10— 0	3— 0	13— 0
300	3	...	...	9— 0	1	10— 0	4	...	...	..	12— 0	...	12— 0	3— 8	15— 8
400	3	...	...	12— 0	...	12— 0	4	...	...	...	16— 0	...	16— 0	4— 0	20— 0
500	3	...	...	15— 0	...	15— 0	4	...	...	...	20— 0	...	20— 0	4— 0	24— 0
600	3	...	...	18— 0	...	18— 0	4	...	...	...	24— 0	...	24— 0	4— 8	24— 8
700	3	...	...	21— 0	...	21— 0	4	...	...	...	28— 0	...	28— 0	4— 8	32— 8
800	3	...	...	24— 0	...	24— 0	4	...	...	...	32— 0	...	32— 0	5— 0	37— 0
900	3	...	...	27— 0	...	27— 0	4	...	...	...	36— 0	...	36— 0	5— 0	41— 0
1,000	3	...	...	30— 0	...	30— 0	4	...	...	...	40— 0	...	40— 0	5— 8	45— 8
1,100	3	2	...	32— 0	...	32— 0	4	3	...	...	43— 0	...	43— 0	5— 8	48— 8
1,200	3	2	..	34— 0	...	34— 0	4	3	...	...	46— 0	...	46— 0	5— 8	51— 8
1,300	3	2	...	36— 0	...	36— 0	4	3	...	...	49— 0	...	49— 0	6— 0	55— 0
1,400	3	2	...	38— 0	...	38— 0	4	3	...	...	52— 0	...	52— 0	6— 0	58— 0
1,500	3	2	...	40— 0	...	40— 0	4	3	...	...	55— 0	...	55— 0	6— 0	61— 0
1,600	3	2	...	42— 0	...	42— 0	4	3	...	...	58— 0	...	58— 0	6— 8	64— 8
1,700	3	2	...	44— 0	...	44— 0	4	3	...	...	61— 0	...	61— 0	6— 8	67— 8
1,800	3	2	...	46— 0	...	46— 0	4	3	...	...	64— 0	...	64— 0	6— 8	70— 8
1,900	3	2	...	48— 0	...	48— 0	4	3	...	...	67— 0	...	67— 0	7— 0	74— 0
2,000	3	2	...	50— 0	...	50— 0	4	3	...	...	70— 0	...	70— 0	7— 0	77— 0
2,100	3	2	1	51— 0	...	51— 0	4	3	2	...	72— 0	...	72— 0	7— 8	79— 8
and so on to															
3,000	3	2	1	60— 0	...	60— 0	4	3	2	...	90— 0	...	90— 0	8— 0	98— 0
3,100	3	2	1	61— 0	...	61— 0	4	3	2	1	91— 0	...	91— 0	8— 8	99— 8
and so on.															

10th. The salaries of officiators fixed by the preceding rule form the minimum rate of remuneration, but an addition to the fixed portion of the officiators' allowance according to scale will be made in certain cases specified in the following subsidiary rules.

11*th.* When the balance of the total emoluments found by rule, beyond what is necessary to provide the remuneration of the officiators, falls short of Rs. 5 in the case of villages having a gross revenue of less than Rs. 500 and of Rs. 10 in case of villages having a gross revenue in excess of Rs. 1,000, this balance shall be assigned as a permanent fixed allowance to the officiator in excess of his salary found by Rules 5 and 6.

12*th.* When the balance of the total emoluments found by Rules 5 and 6, beyond what is necessary to provide the remuneration of the officiator, is large, namely, when it exceeds the salary of the officiator according to scale, 10 per cent of this balance will be assigned as a permanent fixed allowance to the officiators in excess of his salary as fixed by Rules 5 and 6.

13*th.* In the case of towns or large villages with a population of about 2,000 inhabitants or more, for the duties of which two officiating Patels, one Revenue and one Police, will generally be requisite, and the Shanbhog will generally require an assistant, a permanent fixed allowance of Rs. 10 will be assigned to each officiating Patel and Shanbhog in addition to his salary found by the scales in Rule 9, when the balance of the total emoluments is sufficient for the purpose, but insufficient to bring the case within the operation of the preceding subsidiary rule.

14*th.* The gross revenue of the village referred to in Rules 5 and 6 is the whole revenue leviable for any year before deducting any remissions.

15*th.* Patels and Shanbhogs shall receive their emoluments by making a deduction in cash from the last instalment of revenue before paying it into the Taluk Treasury. The receipts of the officiating Patel and Shanbhog for the amount of their official remuneration shall be considered equivalent to the payment into the Treasury of an equal sum in cash.

16*th.* The salary of each officiator would, strictly speaking, vary from year to year with the leviable revenue of the village, but to avoid complication in the accounts, the remuneration is fixed for the term of the survey settlement, at the expiration of which it will be liable to revision. For the same reason the appropriations from the total present emoluments of each office shall be fixed for the term of the survey settlement when they also shall be liable to revision.

17*th.* When the assessment of the arable land (exclusive of alienations) under occupation, in the year in which the settlement of remuneration of village officers is made, exceeds five-sixth of the assessment of all the arable land (exclusive of alienations) in any village, the gross revenue of the year will be taken for the calculation of the remuneration of the officiators, with a view to fix and determine the extent of the appropriation to be made for their support out of the total official emoluments.

18*th.* When the assessment of the arable land specified in the preceding rule, in occupation in the year in which the settlement of the village officiators is made, falls short of five-sixths of the assessment of all the arable land (exclusive of alienations) in the village, then five-sixths of it shall be assumed to be under occupation to fix and determine the extent of the appropriation to be made for the support of the officiator, out of the total office emoluments.

19*th.* The existing official emoluments valued as provided for in Rules 1 and 2 will be appropriated for the support of the officiator in the manner specified in the following rules and the balance of emoluments remaining after providing for the officiator is to be disposed of for the future in the manner also provided for in these rules.

20*th.* The emoluments derived from land as fixed by Rule 1 shall first be appropriated to provide the salary of the officiator.

21*st.* When the emoluments derived from land are insufficient to provide the salary of the officiator, the cash emoluments from the Government Treasury will next be appropriated to make up the salary of the officiator.

22*nd.* Any deficiency after appropriating all the emoluments from land and cash, shall be made good from the Government Treasury.

23*rd.* Any surplus on the existing emoluments in land and cash remaining over after providing the salary of the officiator, shall be dealt with as follows.

24*th.* If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional jodi equal to one-half the profits on the above land, the profits being the difference between the jodi payable thereon and the full survey assessment or valuation.

25*th.* Any surplus remaining out of the cash emoluments after providing the salary of the officiator, shall be at once resumed by Government.

26*th.* When the official land of any office is held in shares and these shares with the amount of jodi and other cesses now payable on each, are separately recorded in the village accounts, then the additional tax imposed upon the whole official land of the office under this rule is to be apportioned on the several shares in proportion to the sum by which the full survey assessment of the land of each share exceeds the present jodi and other cesses payable on the same as shown in the following example in which the emolument of an officiator amounts to Rs. 30:—

Names and Shares.	Survey Assessment of the land of each share.	Deduct Jodi Cess now paid on each share.	Remaining Profit on each share.	Addition to Jodi in column 3 apportioned on Profit in column 4 for payment of officiator.	Unappropriated excess of Profits being difference between columns 4 and 5.	Additional Half-jodi on excess in last column.	Future Jodi Cess on each share being sum of columns 5 and 7.
1	2	3	4	5	6	7	8
1. Karibasave Gauda's ...	16— 0	23— 0	...	...	...	...	23— 0
2. Nimbe Gauda's ...	69—12	46— 0	23—12	9—12	14—0	7— 0	62—12
3. Basave Gauda's ...	46— 8	25—12	20—12	8— 4	12—8	6— 4	40— 4
4. Linge Gauda's ...	118— 4	89— 0	29— 4	12— 0	17—4	8— 8	109— 8
	250— 8	183—12	73—12	30— 0	43—12	21—12	235— 8

27*th.* In settling the amount of the jodi to be paid upon each share, fractions of less amount than ¼th rupee are not to be admitted into the accounts in accordance with the rule followed in regard to all survey assessment.

28*th.* Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed and every such officer shall, at any time whether at or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written razinama any entire field or fields into which official land may have been marked off by the Survey, and on so doing the relinquished field is immediately to be entered in the accounts as Government land, and the jodi tax payable by the hereditary officer is to be reduced by the full amount of the survey assessment of the relinquished fields.

29*th.* The official land under the settlement prescribed in the foregoing rule will form no part of the remuneration of the officiator who is to be paid wholly in cash and the land will therefore remain in the possession of the sharers who may at present hold it.

30*th.* The charges of Shanbhogs will be re-distributed so as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of one officiator, he will be required to give

Patels and Shanbhogs in Mysore; and in reply, am directed to observe that the proposal is unaccompanied by any representations showing that the introduction of so elaborate and complicated a code is at all necessary.

2. In initiating all administrative arrangements in the Province of Mysore, it must always be a primary consideration that they shall be such, so simple, so easily comprehensible, so little different from the previous order of things under the purely native regimé, as to be likely to survive when British management is withdrawn.

3. These rules do not seem to possess this character, and it appears far preferable to His Excellency in Council, that at the present survey and settlement, the case of each Patelship and Shanbhogship should be considered and adjusted on its own merits, that is, with as little change from the present state of things, as is compatible with efficient administration.

4. If, however, after you have been able to form a judgment of your own in the mattter, you should be of opinion that a uniform code of rules is needful, I am to request that it may be made as simple as possible, and that on submitting it you will show how far each individual rule will alter the existing practice.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Survey and Settlement Commissioner of Mysore, No. 2123—R. 76, dated 20th July 1870.

I have the honor, by desire of the Officiating Chief Commissioner, to forward for your information the accompanying copy of a letter No. 87 R, dated 5th April 1870, from the Secretary to the Government of India, Foreign Department; and to request the favor of your submitting your views on the points therein noticed, as requiring special consideration, in connection with the proposed rules for remuneration of Patels and Shanbhogs in Mysore.

2. I am to draw your particular attention to the several subjects alluded to in each para of the above letter and to the desirability of showing fully and clearly the necessity for the introduction of a Code of Rules in the matter under notice. Colonel Meade further requests that you will consider if the rules proposed cannot be rendered more simple as desired by the Government of India.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Survey and Settlement Commissioner, No. 2333—R. 81, dated Bangalore, 27th July 1870.

With reference to previous correspondence on the subject of the educational cess, I have the honor, by desire of the Officiating Chief Commissioner, to state that it would appear, from para 12 of your letter No. 38, dated 9th March 1865, that one anna in the rupee *of the assessment* was proposed by you to be devoted to local funds as in the Bombay Presidency, in the proportion of ⅓rd to education and ⅔rds to roads, and that this was concurred in by Mr. Bowring, who remarked, in para 4 of this office No. 4825—89, dated 20th March 1865, "that the arrangement was no concern of the ryots and need not be entered in the pattas."

2. Colonel Meade always understood that there was a special *local cess* levied at the rate specified in *excess* of the assessment, and that it was absolutely intended for local purposes and those alone. But the correspondence of 1868 shows that the proportion of such cess proposed to be allotted to education was 1 per cent on the land revenue, and not ⅓rd of the cess as above; and the Officiating Chief Commissioner presumes that the point may be considered to be so settled.

The allotment of the rest of the fund does not appear and have been yet decided on, and Colonel Meade requests you will kindly favor him with your views on this point. The total cess being Rs. 6¼ per cent, 5¼ remains available after the deduction of 1 for education. There is besides a similar cess on wet lands for the repair of tanks. The subject is one that appears to require consideration and definite orders how that the survey settlement is progressing.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 756, dated 22nd August 1870.

I have the honor to acknowledge receipt of your letter No. 2333 of the 27th ultimo.

2. When settlements were first commenced in Mysore, after some consultation with the Chief Commissioner, it was decided that it would be preferable to consider the sum to be devoted to local fund as included in the assessment and then take one-sixteenth from out of the lump sum of the realizations of a taluk, and credit it to local funds, consequently in all settlements up to the end of 1867, this course was pursued.

3. In the commencement of 1868 when Major Prescott was acting for me, a Committee on revenue questions generally was held at Bangalore from 17th to 22nd March 1868, the proceedings of which were printed and are doubtless on your records. Who were present on this Committee, does not appear on the proceedings, but Major Prescott and Captain Grant were both present and the latter informs me that Mr. Bowring was present and took part in the proceedings.

4. By this Committee, it was decided that an extra anna should be levied on the assessment of each ryot on account of ordinary local funds for general purposes of improvement, and an additional anna on all irrigated land solely devotable to the repairs of tanks. These local cesses are declared in the proceedings of the Committee as "payable in the case of all settled taluks, from the year in which the settlement is introduced."

5. A form of guarantee of the survey settlement embodying the decisions of this Committee was also agreed upon. This is published at page 172 of the *Mysore Government Gazette* in regard to Harihar, the first Taluk settled and at pages 174, 192, 276 in relation to taluks afterwards settled. Para V of this guarantee expressly sanctions the levy of the one anna ordinary local cess on and in addition to the land assessment of each ryot, and also one anna irrigation cess on irrigated land, and paras VI and VII extend this cess to inam lands and villages.

6. The above guarantee was somewhat modified and extended in the revised form of guarantee No. 198 published at page 361 of the *Mysore Government Gazette* for the current year. Clauses XIII to XVI of which relate to the local funds. This revised form was settled after prolonged conferences between Mr. Bowring, the Chief Engineer for Irrigation, the Conservator of Forests, some of the District officers, Captain Grant, the Superintendent of Survey and myself; and may, I think, be looked upon as the final settlement of the question of the raising and disposal of local funds applicable to all settled districts of Mysore.

7. In the Bombay Presidency, the mode of collection of local funds was not finally fixed until Bombay Act III of 1869, copy of which was forwarded to you with my letter No. 312, dated 25th April 1870, put the collection of these funds under legal sanction in a definite manner. In 1857, the right to collect six pies on the rupee of land assessment as local educational cess was first reserved and proclaimed at all settlements. In 1860 it was ordered that an extra amount of assessment should be imposed in all settlements so as to admit of one-seventeenth of the whole being set aside as a local fund; this order was however cancelled at the end of the same year and thenceforward the six-pie, educational cess only, was collected.

Government Resolution No. 869, dated 21st February 1857.

Government Resolution No. 954, dated 9th March 1860.

Government Resolution No. 3567, dated 6th October 1860.

8. In 1864, a one anna voluntary cess for local purposes was directed and

collected with more or less success till 1869. The necessity for legislation on the subject was however generally recognized. Finally, as stated in a preceding para Bombay Act III of 1869, placed the whole question under the sanction of law and applies the cess to all districts whether the revised settlement has been introduced or not.

9. I append copy of an order of the Bombay Government Resolution No. 1705, dated 9th May 1866, regarding the purely local application of funds locally raised in this Presidency, which completes the explanation of the local fund system in Bombay.

Taxes and Imposts, Revenue Department, No. 1705, dated Bombay Castle, 9th May 1866.

Letter from the Acting Revenue Commissioner, S. D. No. 4429, dated 22nd December 1865, stating, in reply to a memorandum from the Chief Secretary, dated 12th December 1865, written from His Excellency the Governor's camp at Kehroor in the Kulladghee Districts, that the information in detail therein required not being obtainable from the records of the Revenue Commissioner's office, the Collector of Dharwar has been requested to furnish it direct, in order to prevent delay ; and offering certain observations on the subject.

Memorandum from the Collector of Dharwar, No. 473, dated 25th April 1866, submitting a statement showing the number of villages in the Dharwar Collectorate into which the Nurgoond Annachutra allowance and other local funds are realized, and the object on, and localities in, which they have been expended.

RESOLUTION.—His Excellency the Governor in Council is of opinion that all taxes of a local character, whether for educational or other objects, should be expended in the localities in which they are levied, and that villages and districts which do not contribute should not derive any benefit from such expenditure. This principle should be strictly adhered to by the Collector.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Survey and Settlement Commissioner of Mysore, No. 3269—Rev. 109, dated 19th September 1870.

In acknowledging the receipt of your letter No. 756 of the 22nd ultimo, explaining the mode in which the local fund cess has been imposed in Mysore, I am directed by the Chief Commissioner to observe that there is no question as to the rate to be levied under this head, *viz.*, one anna in the rupee of the assessment, or 6¼ per cent; but that it has not yet been settled what proportion of the proceeds of such cess is to be applied to the several objects for which it is raised.

2. It was intimated to the Government of India by Mr. Bowring, that the educational cess would be about one per cent on the gross land revenue, or Rs. 80,000 per annum, and this was accepted. Deducting this then from 6¼, 5¼ would remain amounting at the same calculation to Rs. 4,20,000 in round numbers. This sum is intended to provide for the repairs of roads, tanks (in addition to the special irrigation cess) and *other purposes*, but these latter have not been defined, and the proportion to be assigned to any of these purposes has, as already remarked, yet to be fixed. The Officiating Chief Commissioner considers that the maintenance of all local hospitals and dispensaries, musafarkhanas and staging bungalows should be provided for from this source ; but before any definite conclusions are arrived at, he desires that

you will be good enough to favor him with your opinion, or any suggestions you may wish to offer as to the apportionment amongst the purposes above noted, of the balance of the local cess realized, after assigning one per cent for education.

I am also directed to enquire if you can offer any opinion as to the probable cost to the State, of the proposed mode of remunerating Shanbhogs and Patels as finally decided in the Notification No. 55, dated 23rd June 1869. By that arrangement, the ryots are entirely relieved of all liability under this head and Government binds itself to make up the emoluments of these classes to an aggregate of 8 per cent on the cultivated land at the time of the settlement, and thereafter of 2 per cent on all assessed waste.

Colonel Meade observes that it is true that these emoluments are to be made up from the arable waste, and the latter item need not be considered at all at present, as it is a contingent one; but that whatever the State has to give under the former head, to make the emoluments up to the fixed scale of percentage *is a new charge undertaken by Government*, the same having heretofore been borne by the ryots; and the Chief Commissioner wishes to ascertain if possible, what such charge is likely to amount to, with reference to the apparent improbability of any present increase of revenue under the new settlement.

The assignments from the waste lands on the above account will, the Chief Commissioner presumes, be according to the assessment fixed for waste in each taluk; but it is, he remarks worthy of consideration that such assignments will involve the *permanent* alienation of such lands, and that if this be carried out at the low rates fixed on them *as waste*, the sacrifice may be very great.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner of Mysore, General Department, No. 817, dated Poona, 2nd September 1870.

C

With reference to your letter No. 2123 of the 20th July 1870, and appended letter from the Government of India in the Foreign Department No. 87—R. of the 5th April last, I beg to forward the following remarks.

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2. The village officers of Mysore, the Patels and Shanbhogs, which latter answer to the *Patvaris* of Northern India, hold hereditary offices, and have been remunerated previous to the survey settlement by emoluments derived from the undermentioned sources.

1stly. "*Aya*" or direct levies in grain from the cultivators, which may be looked upon as the diversion of a certain portion of the Government share of the produce from the Treasury to the pockets of the village officers. These levies are paid very irregularly being evaded when the cultivator is influential, and on the other hand from the basis and pretext for a good deal of extortion and oppression by the village officers on the poorer classes of the ryots. These direct levies are abolished by the survey settlement which includes all cesses upon land into one sum paid into the Treasury.

2ndly. By cash payments direct from the Treasury; these payments, as at present existing, are of the most capricious amount, and are regulated by no scale whatever.

3rdly. By land, on which a *jodi* or quit-rent, supposed to be much less than the full assessment, is paid. The difference between this *jodi* or quit-rent and the full assessment, which is called the "profit," is supposed to be one source of the remuneration of the office. The amount of this *jodi* or quit-rent is based on no fixed proportion of the full assessment; in some cases it is a mere fraction of it, and in many others it even exceeds the full assessment.

3. Thus there are three sources of emolument recognized as the remuneration of the village officers. 1. Direct levies of grain. 2. Cash allowances. 3. Land more or less lightly taxed. In many cases remuneration from all three sources has been enjoyed by one office, in some, two only; the first source, the direct levies, will, I imagine, alone be found hitherto universally in force.

4. Each source of remuneration, it will be seen, rested on an unsatisfactory basis in itself, and in the conjoint amount of the three no compensation for the anomalies existing in any one singly would be found. Even excluding the direct levies of grain abolsihed by the introduction of the survey settlement the remaining emoluments will be nothing, or next to nothing, in the case of one charge, and as much as 15 or 20 per cent of the entire revenues of the village in the case of another charge. But the inequality of the existing emoluments, excess in one case, and deficiency in another, by no means exhausts the evils in the existing state of things; a difficulty if possible greater than all the rest remains behind, which is that the emoluments in the case of each office are shared among a number of persons, of whom one at most performs any duty whatever. According to the common practice in Hindu institutions, the office is not only hereditary, but the emoluments are sub-divided among the numerous co-heirs and collaterals of the officiating member of the family, who is selected according to the custom prevailing in each office; in some cases the succession to the office descends solely in one branch, and at other times goes in a certain rotation among the members of different branches.

5. As before stated, the whole land of the office has ordinarily a certain *jodi* or quit-rent fixed upon it, which may bear a greater or less proportion to the full assessment, or even exceed it. This land is divided among the different members of the family in very irregular shares; each sharer pays ordinarily a fractional part of the *jodi* or quit-rent; cases however occur not unfrequently in which one or more sharers in the land are exempt from all payment without any visible reason, certainly not on account of actual performance of service, and in no case will the fractional share of *jodi* bear any relative proportion to the extent of land, except by accident. The State is entitled by ancient practice to a certain lump sum as *jodi* or quit-rent in each individual case, and each sharer by similar ancient practice has paid some or no quota of the entire sum. In one and the same office lands, it will often be found that while one sharer is paying one-fourth or less of what would be the full assessment of the land constituting his share, another will be paying one-half, another three-quarters, and another even more than he would pay if he held the same land as simple ryot paying full assessment to Government.

6. Such being the system of remuneration of village officers hitherto prevailing, it is by no means to be wondered at that the service rendered to the State was not efficient; it is more to be wondered at that any one was found so self-sacrificing as to hold office at all for a fractional share of total emoluments, which, though in some cases excessive, were in the majority of instances insufficient for the reasonable support of the one officiating member. The fact is that before the survey settlement, the holding of office, especially as Shanbhog, (*Patvari*), carried with it its own reward without any participation in the recognized legitimate sources of emolument. In the absence of any survey or reliable record of the land of the village, every thing rested on the word of the Shanbhog and his interpretation of documents which had their origin in others framed by his predecessors in office. He did not, therefore, serve for nothing. For the sake of peace and freedom from annoyance it was the evident interest of the Patel and Shanbhog and the ryots to pull quietly together; neither of the parties could gain much by quarrelling, and the village officers could lose a good deal. Therefore, while they did not serve for nothing, they took care to keep their irregular emoluments within discreet bounds. The only party interested in these arrangements who was not considered was the Government, of whose rights there was no thought until a feud arose in a village, when information, real or false, was given to the taluk officials as a means of gratifying private ill-will.

7. But after the survey settlement has been introduced, the village officers have not the same field of operations open to them, their previous enjoyment of exclusive local knowledge has passed away. The survey maps and registers show the area, assessment and occupation of all land, and the permanent boundary marks prevent all tampering with limits, and effectually connect the land and its boundaries with the sub-divisions into 'numbers,' and occupancies shown in the survey records. A stranger to the village can on those records deal with any question of dispute which may arise, as well as the Shanbhog, and if necessary without any explanation from him. The ryots,

moreover, have their rights and liabilities clearly defined; it is very little indeed that the village officers can do for them or against them. The actual work of the village officers is not decreased by the settlement; but the existence of accurate data, on which to work, enables their duties to be exacted from them with greater preciseness

8. Thus, it is in every point of view more necessary than ever to provide that the man who does the work shall receive reasonable remuneration for his trouble.

9. It is also necessary to provide that each officiator shall have no more work imposed upon him than he can be justly held responsible for duly performing. Here another difficulty in the existing state of things presents itself. It is the usual practice for one Shanbhog to hold more villages than one; in many cases he holds as many as ten or fifteen, the duties of which, as now required, it is simply impossible for him to perform. A reform in this respect is therefore a matter of necessity.

10. As already stated, the practice of taking '*Aya*' or direct levies in grain is disallowed by the survey settlement. The second head of existing remuneration, the cash allowances, where they exist, would be easily dealt with, if they were always met with or had been fixed on any system, by providing that the officiator only should receive them. But the office land of variable amount, with its excessive sub-division and the unequality of the *jodi* payments, and consequently of the residuary profit, presents the greatest difficulty.

11. It would be useless to detail the different plans which have from time to time been proposed for settling the remuneration of these village officers on a permanent basis, one in fact which would work of itself without being liable to be upset by the changing of officiators, and tendency to sub-divide all hereditary emoluments which is inseparable from native custom. It was at the same time evidently desirable to disturb as little as possible existing interests so long as the first and prime object, the proper execution of the service due to the State, was provided for effectually.

12. The plan proposed by me and embodied in the rules, the subject of the present correspondence, is no new and untried scheme. It was after much discussion, both in this country and with the Home Government, adopted nearly twenty years ago, and has been since working successfully in the Southern Mahratta country, in which the previous state of things was exactly similar to that existing at the present day in Mysore. The rules for Mysore are however simplified in several matters of detail, for instance in our own provinces the emoluments are now decennially revisable, a provision dispensed with in the Mysore rules.

13. The main provisions of the proposed rules may be summed up in a very few words.

(1.) A sum is fixed, based on the revenues of the village, according to a scale, which will form the remuneration of the officiator. This sum he receives from the Government Treasury.

(2.) The existing emoluments, now scattered and sub-divided among share-holders, are made use of, as far as they will go, to provide the above remuneration, or rather to re-imburse the Treasury; when existing emoluments are insufficient, the Treasury makes good the balance.

(3.) The sum to be levied as an additional payment on the lands of each office will be paid by each share-holder in proportion to the "profit" derived by him from his share, that is, the difference between the *jodi* or quit-rent he already pays and the full survey assessment of his share; existing occupation is in no case interfered with; it is merely provided that additional taxation, even up to the full survey assessment if necessary, shall be placed on the several sharers of the office lands to make good to the Treasury, as far as possible, the sum paid to the officiator.

(4.) If existing emoluments are deficient, making up the payment of the remuneration of the officiator will fall on the Treasury; if existing emoluments are in excess of what is required, the payment of the surplus cash allowances will be at once stopped, and in the case of an excess in land emoluments still remaining, a compromise will be made by an additional assessment equal to half that excess being imposed, the remaining half remaining untouched.

14. The above are the main provisions of the rules proposed by me. The apparent complicated nature of the scheme, as it appears in those rules, arises from the complications of existing circumstances as described in this letter. No scheme can be devised interfering less with existing rights, and moreover it must not be forgotten that the proposed scheme has the sanction of eighteen years' successful operation in an adjacent province.

15. In para 3 of the letter of the Government of India under reply, it is desired that "the case of every Patelship and Shanbhogship should be considered and adjusted "on its own merits, that is, with as little change from the present state of things as is "compatible with efficient administration." This is exactly what the proposed rules provide for, and as the cases of different Patels and Shanbhogs' existing emoluments present a very great variety of complications, though the principle of settlement may be simplicity itself, it is impossible to make a set of rules, few in number and simple in nature, to meet all the diversities of existing circumstances; and it is equally impossible within any reasonable compass to show, as requested in the 4th para of the letter of Government of India "how for each individual rule will alter existing practice." I have in this letter shown how the work is at present done, often without any legitimate remuneration at all, and how it is proposed with the least possible disturbance of existing interests to secure efficient performance of the duties of the offices, and provide and pay the remuneration for the future.

16. In drawing up rules for the settlement of the matter under discussion it was not sufficient to lay down the main principles; it was necessary to frame the several provisions so that every possible case should be met; this could not done more concisely that has been done in the rules sent in with my letter No. 110, dated 4th February last, which are mainly based on the system in force in the Southern Mahratta Country, only simplified as much as practicable, and the amount of remuneration somewhat reduced, so as, till we see our way farther, to bring the possibility of demands on the Treasury within moderate limits. These rules were discussed for many days last January with Mr. Bowring, and were fully agreed to by him. I was not aware that these rules were to be sent up to the Government of India, otherwise I would have entered into some explanation of the principle on which they were framed and the necessity for them.

17. I may add that the making out of all the papers for carrying out the settlement of the remuneration of these village officers will be executed in the Settlement Department, and when these papers are once made out and issued, the District officials will have nothing to do but to act on them. There is no work thrown on them, and no possibility of any mistake or misunderstanding on their part, either in the present or at any future time, whether under British or Native administration.

18. I trust this attempt at explanation may be not entirely unsuccessful. I confess, however, that I am not sanguine of entire success in this respect; the existing complications are not readily apprehended without great familiarity with them and every form they take; still more difficult is it to understand, on a general consideration, the detailed remedial measures intended to unravel the tangle and educe system out of that in which no system or order at present exists.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Terriorties of His Highness the Maharaja of Mysore, No. 1080, dated Poona, 21st October 1870.

With reference to your letter Genl. No. 3269 of the 19th ultimo, I have the honor to make the following remarks on the subjects noticed.

2. In the first place I must allude to the Notification in the *Mysore Gazette* No. 55, dated 23rd June 1869, regarding the mode of in future remunerating Patels and Shanbhogs in Mysore. The plan there detailed was drawn up by Major Prescot who was acting for me during my absence in England on leave. I must firstpremiset that Major Prescott had no experience of Southern India having served exclusively in the Northern Deccan and Guzerat where the state of things as regards village officers differs materially from that existing in the Southern Mahratta Country and Mysore.

3. Major Prescott being evidently little aware of the long discussion which had taken place on this subject in the Southern Mahratta Country conceived the idea that the best solution of all the difficulties would be found in new land grants in inam and he was fortified in this notion by finding that the idea of obtaining new land inams was very popular among the class of village officers. He did not see that the existing difficulties of the question were mainly caused by the question of how to deal with the present inams, sub-divided as they are among a multitude of share-holders. Again if new inams were created similar sub-division of the land would infallibly occur, it would evidently be impossible to make the land change hands with every change of office, it would be condemning the land to comparative sterility, for who would improve if his tenure was of short and uncertain duration.

4. Again in Clause XV of Notification No. 55 of the 23rd June last, it is stated that the officiator shall have "a lien on the land in the possession of the other "sharers." What this lien was, or how to be enforced, was not laid down and in truth to give the officiator any right over the land in the occupation of other co-sharers would be impossible to carry out.

5. Next as to supplementing deficient emoluments with new land inams the question at once arose as to where land for these inams could be found of such a quality as be desired by the village officers. Their expectation undoubtedly was that Government lands in the occupation of ryots would be made over to them as inam, which was evidently out of the question. The village officers would thank us little for grants of waste land of poor or indifferent quality, and there is not much else, and giving them such land would be no gain to the Government as they would only make use of their position to induce ryots to cultivate these lands. If the ryot had means to extend his area of occupation, he would do so of himself, if he had not, he must resign land paying revenue to Government to cultivate that of the village officers. Where there did happen to be a few waste fields of good quality at the time of the settlement, giving the village officers an exclusive right of selection from among them would be in many cases resented to the uttermost by the ryots, who would very probably refuse to take up any of the other fields.

6. The proposed system of creating new inams to supplement deficiencies would be exceedingly difficult to carry out, would produce much ill-feeling, and would utterly fail in obtaining the desired object, the securing fair emoluments to the person who did the work. Regarding the plan laid down in Rule XV of the Notification No. 55 of 23rd June 1869, to give the officiating member of a family any power of interfering with the possession of land held by other co-sharers would be a simply impracticable measure.

Foot Note.—There appears to be misapprehension about the assessment of waste land judging from the closing words of para 5 of the letter under reply, where the low rates fixed on these lands *as waste* are alluded to. Unoccupied waste land is not rated lower than if it was occupied, every care is taken to guard against such a differential rating, which would only lead to the relinquishment of land in occupation in exchange for lower rated waste.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

7. No steps whatever were taken to carry out the plan of Notification No. 55 by Major Prescott, some mis-givings as to the feasibility of the scheme appear to have entered his mind, and at his request action on it was suspended by Mr. Bowring pending my return. When at Bangalore in January last, it was fully discussed with Mr. Bowring who became convinced of the practical difficulties in the way of carrying out this scheme, and consequently the rules sent in my letter No. 110, dated 4th February last, were framed in conference with him, the principle of which is explained in my letter No. 438, dated 21st May last. The scheme published under Notification No. 55 of 23rd June being practically abandoned.

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8. Until detailed statements are made out for each taluk, it is impossible to estimate even the amount of the charge which will devolve upon the Treasury from the introduction of the proposed scheme of remuneration, we may estimate the total cost, but we do not know how much of this will be borne by existing emoluments or compensated for by partial resumption of existing emoluments in those cases when they are of an amount more than required for the remuneration of the officiator.

9. I can only say that the scale of remuneration was framed on the most economical scale possible, being more than once reduced till reduction was no longer practicable, in order in the first instance to keep the charge on the Treasury as low as possible.

10. Efficient Patels and Shanbhogs are a prime necessity without which good administration is impossible, they cannot be paid at a lower rate than that proposed, and as they must be had there seems no alternative.

11. It makes no practical difference to the Treasury whether these officials are paid in land or money, while it makes a material difference in the efficiency of the service. The provision of a proper remuneration for the village officers is a part and a very material one of the survey settlement. It is true that the direct levies were paid, with more or less regularity before the settlement, and now that they have been stopped, being absorbed into the survey assessment, but it must not be assumed that these levies are consequently not paid at all now, or that their abolition entails a dead loss on the State; it is very certain that if they had not been abolished the Government revenue must have been much the less. Moreover with reference to your allusion to the improbability of any present increase to the revenue under the new settlement, I do not believe that a decrease to the revenue has any where resulted from the settlement, on the contrary I believe that a considerable increase has been realized, to say the least, much more than sufficient to doubly pay all that the Treasury is likely to be called upon to pay under the proposed scheme of remuneration of village officers, and that a still farther increase may be looked for if the necessary measures ancillary to the settlement of fair rates on land are carried out, of which the placing the village officers on a proper footing is one.

12. I will however obtain precise returns made up to last year, which will enable me to show what the revenue result of the settlement has been. I will also obtain statements from the taluks which will enable me to show within a very close approximation what the cost of introducing the village officer's remuneration scheme will be, as far as we are at present prepared to introduce it, the obtaining and compiling these statements will unavailably take some little time. The interim or temporary remuneration has however been introduced and the village officers are therefore at present not entirely unremunerated.

13. Regarding the 2nd para of your letter under reply, in the Bombay Presidency the practice as regards the local fund is to devote $\frac{1}{3}$rd of the one anna cess to education and $\frac{2}{3}$rds to other objects of general utility and convenience. Such is the existing rule; but it is liable to modification at the pleasure of Government, and I would strongly advocate the system of similar temporary proportional assignments for adoption in Mysore. There is in Bombay no precise assignment of a certain proportion of the fund to the several objects to which it is applicable, neither is it possible any where, as it appears to me, to make a final proportional allotment to hold

good always, it would be little comparative use for instance to erect Dharmasalas or Rest houses before roads are provided, or schools and dispensaries where there was a scarcity of drinking water.

14. Some of the purposes to which the local fund is assignable are detailed in Section IV of the Bombay Local Fund Act No. III of 1869, these include all the objects noted in your 2nd para excepting staging bungalows which have been also brought on this fund. I can offer no opinion as to the proportion to be assigned to each purpose, this must depend upon the circumstances of the time. The only course will be to specify the objects to which this fund may be devoted and receive each year propositions for furthering those objects in each taluk, then select the most urgent wants for first attention, as far as the available funds will admit.

15. What the most urgent want of Mysore is at present, there can be little doubt, namely, improved communications with external districts, to enable the surplus produce to be disposed of, the ryots cannot be expected to extend their area of cultivation unless they have reasonable facilities for obtaining remunerative prices for their produce.

16. In Mysore, the distinction drawn between local and Imperial revenue in British possessions, hardly holds good. In the latter after providing for the necessary cost of internal administration of a Province and defence, all the surplus was liable to be drawn away by an Imperial Government with little local sympathy, it by no means followed that because a district paid largely into the Treasury, that much would be spent upon it. The object of local taxation was here plain, to secure to the people the expenditure to their benefit of a certain definite portion of the taxes they had paid. This holds good only in a very minor degree in Mysore, where the taxes raised in one part of the country cannot be wasted in foreign wars or on purposes unconnected with the welfare of the comparatively restricted limits of the State. Strictly speaking, all taxation is local in a State circumstanced as Mysore, the only advantage of making a certain portion payable as "local" is to secure to each taluk or group of villages, to give them in fact a distinct claim to some specific benefits in return for the sum paid which they might not obtain under the ordinary general system of taxation and expenditure. But this local system should by no means exempt the general Treasury of Mysore from a claim upon it to contribute fairly to all improvements of a general nature. If no improvement is made out of the local funds but what has been hitherto done out of the general Treasury, the burden merely shifted in fact from one to the other, the people will be by no means the gainers and they will have a good right to look on the local cess as an imposition in every sense of the word. I would urge the claim of the people of Mysore to derive some new and definite benefits from this local cess, without any diminution in what little has been done hitherto by the State to contribute to their welfare. Every contributor to the fund should be able to see what benefit he derives from the expenditure of his money, unless the benefit is as sensible a fact as the payment to the fund, the levy of this cess under the name of a local fund will certainly be looked upon by the people as what is vulgarly called "a do."

17. Therefore it appears to me that those purposes to which Imperial funds, so to call them, or more correctly as regards Mysore, the general treasury, has hitherto contributed should continue to receive some contribution from the general Treasury. Some fixed allotment based on the average expenditure of past years should be made from the general Treasury to the funds for staging bungalows, dispensaries, &c., and then the additional expenditure under those heads should be met from the so called "Local Fund." It is very certain that much remains to be done in Mysore for the comfort of the people, before they are brought up to the par of the adjacent British Districts, so far as I know them, and if the general Treasury is to shift all its contribution to the head of the local fund, and no more than that be spent, the gain of the people will be invisible and their money will, from their point of view, have been taken under the pretext of a special purpose to which it has not been applied.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

From the Secretary to Chief Commissioner of Mysore, To the Survey Commissioner, No. 4127—R. 134, dated 12th November 1870.

I am directed to acknowledge your letters as per margin and to state that the reply to the first of these letters had been already drafted before the other came to hand, but that, as both are on the same subject, it will be more convenient to deal with both in this communication.

No. 817, dated 2nd September 1870.
No. 1080, dated 21st October 1870.

2. I am first to explain that, till the receipt of your letter No. 1080, the Chief Commissioner was not aware of the grounds for the substitution of the rules proposed in your No. 110, dated 4th February last, for those published under Notification No. 55, dated 23rd June 1869, "but he entirely concurs in your objection to the latter, as set forth in paras 2 to 6 of No. 1080 and in the alterations on the points noted therein that are provided for in the revised rules.

3. The points on which the Chief Commissioner feels still doubtful in this matter are (1) the additional charge to the State that will be incurred by its undertaking the entire remuneration of the classes in question, and (2) the policy of thus converting these classes wholly into Government officials, and so placing them in some respects in a different position than hitherto towards the village communities.

4. On the first of these points, Colonel Meade deems it imperatively necessary to have some reliable information as to what the additional charge in question will be, and he is strongly of opinion that this ought to have been obtained before the scheme was adopted. It must not be supposed from this remark that the Chief Commissioner does not fully admit the necessity for placing the remuneration of these officials on a more satisfactory and settled footing, than has hitherto existed in this State. The point that appears to him to be open to question is whether or not Government has been right in undertaking their entire remuneration, without levying from the village communities concerned the equivalent, under a special head of the dues they have hitherto been bound to pay in part of such remuneration. It is observed that you are of opinion that these dues have been absorbed into the survey assessment, and that it would be an error to assume that their abolition will entail a dead loss on the State, as it is certain that if they had not been abolished the Government revenue must have been much less than it will be under that assessment. Admitting this to be the case, it seems still necessary that the additional charge to Government on this account should be clearly known, and the Chief Commissioner will therefore await the statements promised in para 12 of your No. 1080 before taking further steps in the matter of the rules in question.

5. On the 2nd point adverted to above, I am to state that while Colonel Meade fully admits the anomalies and abuses that undoubtedly exist under the present system, and the unsatisfactory character in many respects of the service rendered by the classes in question, he is apprehensive that the proposed measure may not be without its disadvantages in breaking the tie which has hitherto to some extent bound them to the village communities. No doubt much may be said of the advantage of such a result but looking to the future of Mysore, and the great importance of maintaining, and where necessary, restoring the village institution generally throughout the State and rendering them as efficient as possible, Colonel Meade is not satisfied that the entire cessation of the partial dependence of these officers on the ryots, which has been the custom from time immemorial, may not injuriously affect the circumstances of these institutions, and deprive the latter to an important extent of their admirable character, a result, from which in his opinion, hardly any possible advantage in other respects would, in the case of a Native State, be an adequate compensation.

6. In dealing with this and all other similar questions affecting Mysore, it must even be borne in mind that the State is to be again placed under a Native Government, and we should be most careful not to break up or interfere with institutions or arrangements which have hitherto existed in it, and which, though regarded as of comparatively little importance or even as obstructions under British Rule, form an essential feature of the Native system.

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 16th September 1885.

Further, in any new measures introduced by us, we must remember that they will have to be carried out hereafter by a Native Government and should be of such a simple character as can be worked by such a Government without difficulty. The Government of India has expressed a doubt if the rules proposed by you are not too complicated with reference to this consideration and Colonel Meade would be glad to see them somewhat simplified if you think such practicable. They certainly appear to be in some respects very elaborate.

7. In conclusion, I am directed to thank you for your remarks on the subject of the application of the local fund, which shall have the Chief Commissioner's careful consideration.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Secretary to the Government of India, Foreign Department, Calcutta, No. 328—9 R., dated Bangalore, 11th April 1874.

Adverting to the orders conveyed in your despatch noted in the margin, on the proposed adoption of a Code of Rules for the remuneration of Patels and Shanbhogs in Mysore, which had been prepared with Mr. Bowring's approval just previous to his quitting the Province, and was forwarded by the present Chief Commissioner immediately after his assumption of the office; I am directed to submit, for the consideration of His Excellency the Viceroy and Governer General in Council, a further report on this subject, the time appearing to Colonel Meade to have now arrived for his laying the same before Government in view to the final disposal of the question.

No. 87, R., dated 5th April 1870.

2. The Code of Rules referred to in the preceding para was drawn up, after much thought and discussion, by the Survey and Settlement Commissioner, Colonel Anderson, under Mr. Bowring's directions, and both these officers considered it well-suited to meet the object for which it had been framed, and that its adoption would place this much vexed question on a satisfactory basis.

3. Your letter conveying the orders of Government on the proposed adoption of the rules, however, observed (1) that the proposal was unaccompanied by any representations showing that the introduction of so elaborate and complicated a Code, was at all necessary ; (2) that in initiating all administrative arrangements in the Province of Mysore, it must always be a primary consideration that they shall be such, so simple, so easily comprehensible, and so little different from the previous order of things under the purely native regimé, as to be likely to survive when British management is withdrawn ; (3) that the proposed rules did not seem to possess this character ; and (4) that it appeared far preferable to His Excellency in Council that, at the present survey and settlement, the case of each Patelship and Shanbhogship should be considered and adjusted on its own merits, that is, with as little change from the present state of things as is compatible with efficient administration. It was added that if, after being able to form a judgment of his own in the matter, Colonel Meade was of opinion that a uniform Code of Rules was needful, such Code should be made as simple as possible, and in submitting it, it should be shown how far each individual rule will alter the existing practice.

4. In accordance with the instructions conveyed in the concluding para of this despatch, the Chief Commissioner has differed taking further action in the matter until he was in a position to form an independent judgment of the real requirements of the case, and in the meantime, he has fully discussed with Colonel Anderson the possibility of simplifying the apparently complicated provisions of the rules previously submitted, and has endeavoured to ascertain what will be the ultimate charge to the State that their adoption will involve.

5. As to the circumstances under which this Code was framed as above, I am to explain that the urgent necessity for the substitution of some systematic mode of remunerating the village Patels and Shanbhogs in Mysore, for the existing defective and inefficient arrangements on that head, has long been admitted by all who have

had to deal with the subject ; and that since the introduction of the revenue survey and settlement, this necessity has become absolute, owing (1) to the withdrawal from these classes, under the terms of the settlement, of the grain levies heretofore paid to them by the ryots very generally throughout the Province, which formed their chief source of emolument ; and (2) to the great importance to the success of the settlement, of the efficient performance of their duties by the village officers, which could not be looked for unless they were fairly remunerated therefor.

6. On a consideration of these circumstances, and a conviction of the importance of dealing with the question without delay, Mr. Bowring, during Colonel Anderson's absence on furlough in 1869, approved of a revised Code of Rules drawn up with that object by Major Prescott, the Officiating Survey and Settlement Commissioner, and directed their adoption in a Notification* published on the 23rd June 1869.

*Copy appended.

The principle of these rules was that all remuneration to village officers was to be made in land, and not in cash, and it was laid down as a cardinal feature, of the scheme that this principle was to be strictly acted on, and that not merely was land to be assigned in all future grants to the village officers, but that it was also to be subsituted for existing cash payments to these classes.

On Colonel Anderson's return, he urged that this principle was an erroneous one, and strongly advocated the remuneration of these classes, in future, being fixed and disbursed in cash, all existing service lands being utilized, as far as might be possible, in making up the remuneration in each case fixed under the rules.

After a further full consideration of these conflicting views, Mr. Bowring came to the conclusion that Colonel Anderson's was the soundest and best suited to the circumstances of the Province—one, amongst other reasons that doubtless influence him in this decision, being the fact that much difficulty was likely to be experienced, in providing land in satisfaction of such remuneration—and the new rules as approved by him, were framed accordingly by the Survey Commissioner, the intention being merely to adopt them in supersession of those published in June 1869 and then actually in force, and their submission to the Government of India for approval and sanction not being contemplated.

7. Having now had four years' experience of the administrative requirements of the Province; and had full opportunities of hearing the opinions of all classes, officials and others, concerned, on this subject, Colonel Meade has no hesitation whatever in stating that he most fully shares the views set forth in para 5 of this letter, and that he considers the due settlement, on a fitting and permanent basis, of the village Patels and Shanbhogs throughout the Province, as one of the most important measures towards the future prosperity of Mysore under the Native Government.

The question has of late become one of even greater urgency than before, in connection with the new police scheme, which is based on the existence of an efficient village police system, that cannot possibly exist until the Village Patels are put into proper position and properly remunerated.

8. The appended copy of a † letter from the Survey and Settlement Commissioner, which was written with special reference to the remarks and instructions conveyed in your despatch under reply, explains fully the nature of the emoluments hitherto enjoyed by the Patels and Shanbhogs in Mysore ;—the difficulties connected with and arising from the practice that prevails of sub-dividing these emoluments, such as they are, among a number of sharers, who perform no duty whatever ;—and lastly, the provisions of the proposed rules to meet the peculiar circumstances of this state of things, and to secure the utilization of these existing emoluments, as far as may be practicable, in the proposed reorganization, so as to reduce the cost of the latter to Government as much as possible.

†No. 817, dated 2nd Sept. 1870.

The description given therein of all these subjects is so full and clear, that it appears to the Chief Commissioner to be unnecessary to enter into a further detailed ex-

planation of them in this letter. It should, howevar, be noticed that, in some parts of the Province, the office of Patel is either in abeyance or is wholly unremunerated, the policy of both Tippu and Púrnaiya for many years having been to deprive this class of their service lands, and to destroy their influence, and no general measures having ever since been adopted to restore them to their proper position.

The condition of the Shanbhogs is generally much better; but, in some of the western Malnad Taluks, many of them enjoy little or no fixed remuneration.

9. As regards the proposed Code of Rules previously submitted by him, Colonel Anderson sums up, in para 13 of the above letter, their main provisions as follows:—

1*st.* "A sum is fixed, based on the revenues of the village, according to a scale, which will form the remuneratirn of the officiator. This sum he receives from the Government Treasury."

2*nd.* "The existing emoluments, now scattered and subdivided among share-holders, are made use of, as far as they will go, to provide the above remuneration, or rather to re-imburse the Treasury; when existing emoluments are insufficient, the Treasury makes good the balance."

3*rd.* "The sum to be levied as an additional payment on the lands of each office will be paid by each share-holder in proportion to the "profit" derived by him from his share, *i. e.*, the difference between the *jodi* or quit-rent he already pays and the full survey assessment of his share; existing occupation is in no way interfered with; it is merely provided that additional taxation, even up to the full survey assessment if necessary, shall be placed on the several sharers of the office lands to make good to the Treasury, as far as possible, the sum paid to the officiator."

4*th.* "If existing emoluments are deficient, the making up the payment of the remuneration of the officiator will fall on the Treasury; if existing emoluments are in excess of what is required, the payment of the surplus cash allowances will be at once stopped, and in the case of an excess in land emoluments still remaining, a compromise will be made by an additional assessment equal to half that excess being imposed, the remaining half remaining untouched."

10. The Survey Commissioner further remarks, in the concluding para of that letter, "that he is not sanguine of his attempt at explanation therein proving entirely "successful, as the existing complications connected with the subject of the remune-"ration of these offices are not readily apprehended, without great familiarity with "them and every form they take, and that it is still more difficult to understand, on "a general consideration, the detailed remedial measures intended to unravel the "tangle and educe system out of that in which no system or order at present exists."

11. In order further to convey a clear apprehension of the scheme set forth in the rules, it will be proper here to describe briefly the nature of the duties of these village servants, *viz.*, Patels (Village Headmen) and Shanbhogs (Village Accountants). These classes are employed on important revenue, as well as general duties. The Shanbhogs have to keep the accounts of the cultivation and of the revenue of the village, and to assist in the collections. The Patel has to supervise the maintenance of tanks and irrigation channels; to see to the cultivation of the village lands and the collections; to look after the road avenues within the limits of the village, and to arrange for the filling up of vacancies therein, and for the general planting up of fresh trees, where necessary; to watch the jungles on the hills and elsewhere within village limits which are public property, and prevent their being encroached upon or destroyed; and to preserve in good order the village and field boundary marks set up by the Survey Department: lastly, the Patel is the Executive Head of the Vil-

lage Police, and his duties, as such, under the new Police scheme, will be of a far more laborious and responsible character than hitherto. Indeed the success of that scheme will, to a great extent, depend on the efficient discharge of their Police duties by Patels. The offices of Patel and Shanbhog are hereditary, and there can be no doubt that when their emoluments are fixed on a fair and equitable scale of remuneration, and the officiators are relieved from the uncertain and unsatisfactory mode in which they are now paid for their services, these offices will acquire much more importance and value in public estimation than has hitherto been the case. Indeed the knowledge that such a scheme as that under report was in contemplation has already had this effect, and there is no lack of claimants for any vacant office of either class.

12. Colonel Meade has given the proposed Code of Rules a very large share of his attention, and cannot but admit that its provisions appear to be elaborate and complicated. But all revenue questions under the *ryotvari* system are more or less complicated, and much of what appears to be objectionable in this respect in these rules is undoubtedly, as urged by Colonel Anderson, really due to the complication of the existing circumstances—in other words, to the present condition of the emoluments which have gradually become sub-divided among a number of sharers besides the actual officiators; to the necessity which exists of making some concession to long-standing occupation, even though irregularily acquired ; and lastly, to the difficulties under these conflicting considerations and with due regard to economy, of making the future emoluments of the village servants in some degree proportionable to the work which will hereafter be expected of them.

13. With reference to the instructions conveyed in your despatch of 5th April 1870, the Chief Commissioner is satisfied that it will not be possible to deal with this question without the adoption of a Code of Rules, defining clearly the emoluments of these classes in future, and the manner in which the same are to be adjusted.

14. He is further of opinion that if the existing emoluments, so far as they consist of service lands, are to be taken into account in making up the future remuneration of the office-holders, the rules required to meet that object with the least possible hardship to the present occupiers, as co-sharers of those lands, must necessarily be of an apparently elaborate and complex character to those unacquainted with the peculiar local circumstances of the case, though they are clear and simple enough to the parties concerned.

15. As the point noticed in the preceding para is thus the real cause of the rules being elaborate and complicated, Colonel Meade proposed that all such service lands should cease to be attached to the offices, and should be brought under assessment as follows, *viz* :—

(1.) Alienated portions of them under ordinary assessment, and—

(2.) those still in the possession of officiators or co-sharers, on a moderate quit-rent, and confirmed permanently to the holders as *inams* under the Inam Rules.

16. This arrangement would, it was thought, secure to the State a fair proportion of the value of these lands to meet the cost of the new scheme, while it would deprive no present occupant of his holding, and would convert the latter, in the case of all officiators and co-sharers, into a personal *inam*. It would, however, unavoidably involve a change from the present state of things, though not one, it appeared to Colonel Meade, greater than that contemplated in the rules, or than is really necessary in dealing with this question.

17. The Survey Commissioner has, however, strongly urged that the measure thus proposed would have the effect of increasing the cost of the new scheme, and that it would also affect the social status of the families concerned, as it would involve the permanent transfer from them and the conversion into ordinary *inams* of the service lands in each case, whereas the rules provide for all such lands being still regarded as attached to the office. He further points out that his proposed method, of making

these lands contribute to the support of the officiator, is in strict accord with the usage and practice of the State, and will hardly be questioned by any of those concerned ; and that though the objection to creating new office land is so great that it cannot be got over, the possession of ancient lands of this class is regarded as an important element in social status, and that it would in his opinion be a pity to abolish it where it already exists.

18. Colonel Meade admits the force of these views, and is prepared to accept the principle of the rules on this head, if their consequent unavoidably complicated character is not still regarded by His Excellency in Council as a bar to their introduction. Should the latter be the case, he would unhesitatingly advocate the adoption, as an alternative, of the course described in para 15.

19. Taking the rules sariatim—

(1.) Sections I to III describe the valuation of existing emoluments, and do not require remark.

(2.) Sections IV to XIV describe the future remuneration of the village officers, and are generally concurred in by the Chief Commissioner, who however considers that Sections XI and XII might be omitted, if the future remuneration of these classes is fixed according to the proposed scale and without any reference to present emoluments. In any special individual case, in which the latter are found to exceed the former, the excess might be left in the enjoyment of the present holder for his life-time as a personal allowance.

(3.) Section XV refers to the manner in which payment of remuneration is to be made.

(4.) Sections XVI to XVIII refer to certain points connected with the mode of calculating the emoluments, and do not appear to require remark.

(5.) Sections XIX to XXVII describe the manner in which the existing emoluments in each case will be appropriated to the support of the officiator, and how the balance, if any, shall be disposed of.

If the course described in para 15 above, were followed, almost all the provisions of these sections might be dispensed with, but for the reason stated in para 18, they are concurred in by Colonel Meade.

(6.) Section XXVIII provides for the relinquishment by officiators of the official land held by them when they may wish to resign the same.

(7.) Section XXIX provides that co-sharers now in possession of portions of the office land shall not be disturbed in such possession.

(8.) Sections XXX to XXXVI provide—

(*a.*) For the re-distribution of Shanbhogs' charges, where they are larger than can be properly managed by one man ;

(*b.*) For the case of incompetency on the part of an officiator ;

(*c.*) For the exclusion from employment of officiators guilty of malversation in the performance of their official duties ;

(*d.*) For the arrangement of charges and the adjustment of the emoluments in small villages, where there is only a Patel or a Shanbhog.

(9.) Section XXXVII declares the orders forbidding the alienation of service land to be still in force.

(10.) Section XXXVIII declares that the remuneration fixed for each officiator shall be his exclusive perquisites.

(11.) Section XXXIX provides for the residence of all officiators in the village or villages under their charge.

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The Chief Commissioner concurs in the provisions of all the Rules XXVIII to XXXIX inclusive, as summarised above.

20. With these observations, Colonel Meade begs to re-submit the rules under advertence for the orders of His Excellency in Council, with his recommendation that their introduction be now sanctioned.

21. With regard to the point alluded to in the concluding part of para 4 of this letter, the Chief Commissioner has failed in obtaining any reliable information as to the ultimate charge to the State involved in the measure under report. The payments in the shape of grain levies now made by ryots to the village officers, and which will cease under the settlement, are taken into account in fixing the assessment, and the State will thus recoup itself to the extent of the value of their payments. The registered net value of the service lands now enjoyed by Patels and Shanbhogs is about Rs. 65,000, but it is probably much in excess of that amount. The Survey Commissioner reports that no estimate can at present be framed, showing the probable net charge to the State of the measure, as no data exist for its preparation.

From the Secretary to the Government of India, To the Chief Commissioner of Mysore,
Foreign Department, Rev. No. 144, dated Fort William, the 10th July 1874.

I am directed to acknowledge receipt of your Officiating Secretary's letter No. 328—9 R., dated 11th April last, forwarding for the sanction of the Government of India, a revised draft of rules for the remuneration of Patels and Shanbhogs in Mysore.

2. His Excellency in Council understands that these rules have been submitted after careful discussion of them with the Survey Commissioner, whose letter explains at length the difficulties of the case, and the system by which he would dispose of the complicated claims growing out of family division of these ancestral holdings by office. You consider the explanation to be full and sufficient, and you recommend that the scheme which they describe may be approved. Upon this matter His Excellency is willing to accept the judgment of Colonel Anderson and of yourself, and I am therefore to say that the plan suggested by you in paragraph 15 of your letter under reply, as an alternative proposal made in the event of this scheme being disallowed by the Government, need not be entertained. There can be no doubt that the service character of the holdings of these village servants ought, for many reasons, to be maintained, so long as the performance of the service attached to them is required.

3. I am to suggest, however, for your consideration whether Rule XVI, fixing the payments to the village servants for the whole term of settlement, might not, with advantage, be modified. For the purpose of protecting the shares from alteration of their payments of quit-rent, it is undoubtedly right to fix the contribution payable by them for the term of settlement, but His Excellency in Council is of opinion that during the currency of the settlement there should be at least one revision of the payments made by Government, and that these payments should be increased proportionately to the increase of revenue. In order therefore to meet this view the rule might be altered so as to run as follows :—

> "XVI.—The amount of quit-rent fixed on the holding of each share-holder is fixed for the term of settlement, but the total emoluments of the officiators will be revised once after ten years, and will be modified according to the same scale in proportion to the revenues of the village as then realized."

In the event of the revenues of the village improving to a large extent, it would be hardly equitable to leave the village officers on lower pay than they would be fairly entitled to, and hence some revision is necessary. If, however, you prefer it, His Excellency in Council would have no objection to the revision being made decennial as in the Southern Mahratta Country, and being carried out twice in the course of the period of settlement instead of once, as above proposed.

4. His Excellency in Council also considers it desirable that a lump sum of from Rs. 10 to Rs. 15 should be added to the scale prescribed for the emoluments of the Patels of villages situated at railway stations, camping grounds, large marts, and similar localities, in consideration of the increased miscellaneous duties which in such cases devolve on the head of the village. I am also to observe that the last Rule (39) seems unnecessarily stringent. It might be supposed that a Patel, who has often many other kinds of business to transact, besides his Government business, need not be restricted to constant residence in his village, or obliged to ask leave before he can go about his affairs for a few days in the neighbourhood. Moreover the rule is likely to place in the hands of Amildars considerable power to exercise petty and vexatious interference with the movements of men who are not his official subordinates.

5. With the above modifications His Excellency the Viceroy and Governor-General in Council sanctions the introduction of the rules, and I am to request that a copy of the rules as finally issued may be forwarded for the information of the Government of India.

No. 2993—Rev. 219, dated Bangalore, 20th July 1874.

Order thereon.—Ordered, that the foregoing letter be forwarded to the Survey and Settlement Commissioner with the following observations :—

2. In regard to the 1st modification in the rules, suggested by the Government of India, it seems to the Chief Commissioner to the impolitic to subject the emoluments of Patels and Shanbhogs to any revision before the expiration of 30 years, the term of the present settlement.

3. As to the second point, *viz.*, the special remuneration of heavily worked Patels and Shanbhogs, the Chief Commissioner is of opinion that the following rule may be substituted for the present Rule XIII.

> " In the case of towns, large villages, and villages in the vicinity of Railway Stations, " camping grounds, large marts and similar localities, the Patels and Shanbhogs of which are ordinarily called upon to perform heavy miscellaneous duties, an extra allowance not exceeding Rs. 15 per annum will be assigned to the Patel and Shanbhog (and where there are two officiating Patels and Shanbhogs, to each Patel and Shanbhog) in addition to the salary of the office found by the scales in Rule IX."

4. With reference to the concluding portion of para 4 of the Government letter, it appears to the Chief Commissioner that the following rule may be substituted for Rule XXXIX :—

> "The Patel and Shanbhog shall in all cases reside in the village or one of the villages constituting their charge. No Patel or Shanbhog shall absent himself from his charge for more than seven days without previously obtaining leave from the Amildar of the Taluk."

5. Before however taking any further steps in the matter, the Chief Commissioner desires to be favored with the views of Colonel Anderson on the points noticed above.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 1270, dated Poona, 12th August 1874.

I have the honor to forward the report called for by Chief Commissioner's orders No. 2993—219 of the 20th ultimo.

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2. In the circumstances of Mysore, I do not think it would be advisable to guarantee any change in the remuneration of village officers at the end of 10 years, but there would, in the absence of a guarantee, be no difficulty in making a change in the amount of remuneration at an earlier date than 10 years hence, if there appeared sufficient reason for doing so. A change in the amount of remuneration to proportion it to any large increase of revenue in any village would be a single and simple operation.

3. So far as relates to Patels, I can see no objection whatever to the rule proposed to be substituted for Rule XII, the wording of which is given in the order under reply. The proposed rule appears to me unnecessary as regards Shanbhogs who will seldom hold a single village and their work would not be influenced by the cause which would influence that of the Patel. The Shanbhogs moreover are a much better paid class than the Patels as they must be men of some education.

4. In consideration of the additional police duties which it is proposed to demand from the Patels, it will, I think, be advisable to grant as a part of the salary to *all* Patels, who do not come under the proposed Rule XIII, a fixed allowance equal in amount to that given to the Shanbhogs as stationery allowance. This has been, during the last few years, granted in the Bombay Presidency.

Column 15, statement at Rule IV.

5. As some compensation for the expense incurred by the grant of the allowance to Patels proposed in the preceding para, I would propose to do away with the additional fixed allowance to Shanbhogs in very small villages alluded to in Rule VII which may be easily dispensed with if a modification as about to be proposed is made in Rule XXXIV. These very small villages generally comprise one or two occupancies only and really entail nothing but nominal work to the Shanbhog. In substitution for the present Rule VII, I would insert the following rule which is necessary to clear away a possible doubt :—

Column 13, Rule IX.

VII. When the charge of a Shanbhog consists of more villages than one, the percentage remuneration will be calculated on the conjoint revenue of the villages forming his charge and not on the revenue of each village separately. And I would add to Rule VIII after the word "*Stationery* "for each sepa- "rate village composing his charge." This would be but fair as the forms and returns required to be sent in by Shanbhogs would increase in number precisely with the number of villages.

6. Experience of the general small size of villages in Mysore and of the number of them often comprised in the present charges of Shanbhogs frequently amounting to 10 to 20 villages, leads me to believe that some modification of Rule XXXIV will be advisable. I would therefore propose to read "2,500" for Rs. "2,000" in the 4th line of that rule, and in the same line for "*three or more villages*" read "*five or more villages*", and Rs. "1,600" instead of Rs. "1,200" at the end of the rule. The result of these changes will be a somewhat smaller number of Shanbhogs, each receiving higher pay than under the original rule. The supply of qualified men to fill these situations is very limited, and I think that a somewhat smaller number of officiators each receiving higher pay than was originally contemplated will be more conducive to efficiency than the opposite conditions.

7. With reference to para 4 of the reference under reply, as regards the Shanbhog, sufficient will be obtained if he habitually resides in one of the villages of his charge and this must be insisted upon. the provision in the proposed rule will suffice. As regards the Patel, he is the chief Police officer of the village and in that capacity his presence is much more called for than on account of his duties connected with the revenue. It certainly appears to me that a Patel should not absent himself from his village for any time beyond a very few days without making a report, and that seven days is quite as long as he should be absent without leave, which can be obtained only through the Amildar, whose subordinates both the Patel and Shanbhog undoubtedly must be considered. As however the absence of the Patel will chiefly affect police arrangements, the opinion of the chief Police authorities would be the most pertinent to the matter.

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Revised Draft Rules for Remuneration of Patels and Shanbhogs.

I. All official land, whether recorded as *inam* or *jodi inam*, or otherwise, shall be valued at the survey assessment of the same, less the amount of the *jodi* tax or other cesses to which it may be subject as recorded in the public accounts of the year.

II. Cash allowances from the Government Treasury, under whatever name they may be entered in the public accounts, shall be recorded at the amount so entered in the accounts of the year.

III. The sum total of the emoluments valued according to the above two rules is to be taken as the existing valuation of the emoluments of the office.

IV. The officiating Patel and Shanbhog of each village shall hereafter receive for the performance of the duties of their offices, a remuneration in cash of at least the amount fixed by the following scale for these offices respectively.

Patel's Scale.

V. For the first thousand rupees of the gross revenues of his village, three per cent; for the second thousand or any part of it, two per cent; and for the balance of gross revenue beyond two thousand rupees, one per cent. In the case of villages where the collections do not exceed Rs. 300, he shall, in addition to the above percentages, receive a fixed annual allowance of one rupee when the gross revenue ranges from eleven to fifty rupees; of two rupees when the gross revenue ranges from Rs. 51 to 300; or so much of it, when the gross revenue exceeds Rs. 250, as shall be required to make the salary up to but not exceed rupees ten per annum.

Shanbhog's Scale.

VI. For the first thousand rupees of the gross revenue of the village, four per cent; for the second thousand, three per cent; for the third thousand, two per cent; for the fourth thousand, one per cent; and for the balance of gross revenue beyond four thousand rupees, one per cent.

VII. He shall also receive in addition a fixed allowance of one rupee when the gross revenue ranges from eleven to seventy-five rupees; of two rupees when it ranges from Rs. 76 to 300 or as much of it, in villages over Rs. 250, as may be required to make the salary up to but not exceed rupees twelve per annum.

VIII. In addition to his salary the officiating Shanbhog shall also receive an allowance for stationery as shown in the subjoined table:—

Gross Revenue of Village.		Stationery Allowance. Rs.	As.	P.
Up to Rs.	20	1	0	0
21	50	2	0	0
51	100	2	8	0
101	200	3	0	0
201	350	3	8	0
351	500	4	0	0
501	700	4	8	0
701	900	5	0	0
901	1,250	5	8	0
1,251	1,500	6	0	0
1,501	1,800	6	8	0
1,801	2,000	7	0	0
2,001	2,500	7	8	0
2,501	3,000	8	0	0
3,001	3,500	8	8	0
3,501	4,000	9	0	0
4,001	4,500	9	8	0
4,501	5,000	10	0	0

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IX. The following table shows the amount of salary to be paid to officiating Patels and Shanbhogs according to the preceding scale :—

Gross Revenue of the Village.	Patels' Salary.							Shanbhogs' Salary.								
	Percentage.				Additional Fixed Allowance.	Total Salary.		Percentage.				Additional Fixed Allowance.	Total Salary.		Stationery Allowance.	Grand Total including Stationery Allowance
	Rates.			Amount.				Rates.			Amount.					
	1st Thousand.	2nd Thousand.	3rd Thousand and upwards.					1st Thousand.	2nd Thousand.	3rd Thousand.	4th Thousand.					
1	2	3	4	5	6	7		8	9	10	11	12	13	14	15	16
15	3	...	...	0 12	1	1	12	4	...	...	...	0 10	1	1 10	1 0	2 10
25	3	...	...	0 12	1	1	12	4	...	...	...	1 0	1	2 0	2 0	4 0
50	3	...	...	1 8	1	2	8	4	...	...	...	2 0	1	3 0	2 0	5 0
75	3	...	...	2 4	2	4	4	4	...	...	...	3 0	2	5 0	2 8	7 8
100	3	...	...	3 0	2	5	0	4	...	...	...	4 0	2	6 0	2 8	8 8
150	3	...	...	4 8	2	6	8	4	...	...	...	6 0	2	8 0	3 0	11 0
200	3	...	...	6 0	2	8	0	4	...	...	...	8 0	2	10 0	3 0	13 0
300	3	...	...	9 0	1	10	0	4	...	...	...	12 0	..	12 0	3 8	15 8
400	3	...	...	12 0	...	12	0	4	...	...	...	16 0	...	16 0	4 0	20 0
500	3	...	...	15 0	...	15	0	4	...	...	...	20 0	...	20 0	4 0	24 0
600	3	...	...	18 0	...	18	0	4	...	...	...	24 0	...	24 0	4 8	24 8
700	3	...	...	21 0	...	21	0	4	...	...	...	28 0	...	28 0	4 8	32 8
800	3	...	...	24 0	...	24	0	4	...	...	...	32 0	...	32 0	5 0	37 0
900	3	...	...	27 0	..	27	0	4	...	...	...	36 0	...	36 0	5 0	41 0
1,000	3	...	...	30 0	...	30	0	4	...	...	...	40 0	...	40 0	5 8	45 8
1,100	3	2	...	32 0	...	32	0	4	3	...	...	43 0	...	43 0	5 8	48 8
1,200	3	2	...	34 0	...	34	0	4	3	...	...	46 0	...	46 0	5 8	51 8
1,300	3	2	...	36 0	...	36	0	4	3	...	...	49 0	...	49 0	6 0	55 0
1,400	3	2	...	38 0	...	38	0	4	3	...	...	52 0	...	52 0	6 0	58 0
1,500	3	2	...	40 0	...	40	0	4	3	...	...	55 0	...	55 0	6 0	61 0
1,600	3	2	...	42 0	...	42	0	4	3	...	...	58 0	...	58 0	6 8	64 8
1,700	3	2	...	44 0	...	44	0	4	3	...	...	61 0	...	61 0	6 8	67 8
1,800	3	2	...	46 0	...	46	0	4	3	...	...	64 0	...	64 0	6 8	70 8
1,900	3	2	...	48 0	...	48	0	4	3	...	...	67 0	...	67 0	7 0	74 0
2,000	3	2	...	50 0	...	50	0	4	3	...	...	70 0	...	70 0	7 0	77 0
2,100	3	2	1	51 0	...	51	0	4	3	2	...	72 0	...	72 0	7 8	79 8
& so on to																
3,000	3	2	1	60 0	...	60	0	4	3	2	...	90 0	...	90 0	8 0	98 0
3,100	3	2	1	61 0	...	61	0	4	3	2	1	91 0	...	91 0	8 8	99 8
& so on																

X. The salaries of officiators fixed by the preceding rule form the minimum rate of remuneration ; but an addition to the fixed portion of the officiator's allowance, according to scale, will be made in certain cases specified in the following subsidiary rules.

XI. When the difference between the total of existing emoluments (as found by Rules I and II) and that as fixed by Rule V or VI falls short of Rs. 5 in the case of villages having a gross revenue of less than Rs. 500, and of Rs. 10 in case of villages having a gross revenue in excess of Rs. 1,000, this difference shall be assigned as a permanent fixed allowance to the officiator in excess of his salary as fixed by Rule V or VI.

XII. When the total of existing emoluments is large, *viz.*, when it exceeds the salary of the officiator as fixed by Rule V or VII, 10 per cent of this excess will be

assigned as a permanent fixed allowance to the officiator in excess of his salary as fixed by Rule V or VI.

XIII. In the case of towns or large villages, for the duties of which two officiating Patels, one Revenue and one Police, will generally be requisite, and the Shanbhog will generally require an assistant, a permanent fixed allowance of Rs. 10 to 15 will be assigned to each officiating Patel and Shanbhog in addition to his salary found by the scales in Rule IX.

XIV. The gross revenue of the village, referred to in Rules V and VI, is the whole revenue leviable for any year before deducting any remissions.

XV. Patels and Shanbhogs shall receive their emoluments by a deduction of the amount of the same from the assessment on their *kandayam* lands, the same being adjusted at each annual jamabandi and duly shown accordingly in the village accounts to prevent complications. Where the assessment on their lands is insufficient for this purpose, the balance will be made up by their deducting it from the last instalment of revenue, before paying such instalments into the Taluk Treasury. In this latter event, the receipt of the Patel or Shanbhog for the amount of such balance as so deducted shall be considered equivalent to the payment into the Treasury of an equal sum in cash.

XVI. The salary of each officiator would strictly speaking vary from year to year witht he leviable revenue of the village; but to avoid complication in the accounts, the remuneration is fixed for the term of the survey settlement, at the expiration of which it will be liable to revision.

XVII. When the assessment of the occupied arable land, (exclusive of alienations) in the year in which the settlement of remuneration of village officers is made, exceeds five-sixths of the assessment of the entire arable land (exclusive of alienations) in any village, the gross revenue of the year will be taken for the calculation of the remuneration of the officiators.

XVIII. When the assessment of the arable land, specified in the preceding rule, in occupation in the year in which the settlement of the village officiators is made, falls short of five-sixths of the gross assessment of all the arable land (exclusive of alienations) in the village, then five-sixths of such gross assessment shall be taken for the calculation of the remuneration of the officiators.

XIX. The existing official emoluments valued as provided for in Rules I and II will be appropriated for the support of the officiator in the manner specified in the following rules, and the balance of emoluments remaining, after providing for the officiator, is to be disposed of for the future in the manner also provided for in these rules.

XX. The emoluments derived from land as fixed by Rule I shall first be appropriated to provide the salary of the officiator.

XXI. When the emoluments derived from land are insufficient to provide the salary of the officiators, the cash emoluments from the Government Treasury will next be appropriated to make up the salary of the officiator.

XXII. Any deficiency after appropriating all the emoluments from land and cash shall be made good from the Government Treasury.

XXIII. Any surplus on the existing emoluments in land and cash remaining over, after providing the salary of the officiator, shall be dealt with as follows.

XXIV. If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional *jodi* equal to one-half the profits on the above land, the profits being the difference between the *jodi* payable thereon and the full survey assessment or valuation.

XXV. Any surplus remaining out of the cash emoluments after providing the salary of the officiator shall be at once resumed by Government.

XXVI. When the official land of any office is held in shares, and these shares, with the amount of *jodi* and other cesses now payable on each, are separately recorded in the village accounts, then the additional tax imposed upon the whole official land of the office under this rule is to be apportioned on the several shares in proportion to the sum by which the full survey assessment of the land of each share exceeds the present *jodi* and other cesses payable on the same, as shown in the following example, in which the emolument of an officiator amounts to Rs. 30—0—0.

Names and Shares.	Survey assessment of the land of each share.	Deduct *jodi* cess now paid on each share.	Remaining profit on each share.	Addition to *jodi* in column 3 apportioned on profit in column 4 for payment of officiator.	Unappropriated excess of profits, being difference between columns 4 and 5.	Additional half *jodi* on excess in last column.	Future *jodi* cess on each share, being sum of columns 3, 5 and 7.
1	2	3	4	5	6	7	8
1. Kari basvegauda's ...	16 0	23 0	...	...	...	...	23 0
2. Nimbegauda's ...	69 12	46 0	23 12	9 12	14 0	7 0	62 12
3. Basvegauda's ..	46 8	25 12	20 12	8 4	12 8	6 4	40 4
4. Lingegauda's ...	118 4	89 0	29 4	12 0	17 4	8 8	109 8
	250 8	183 12	73 12	30 0	43 12	21 12	235 8

XXVII. In settling the amount of *jodi* to be paid upon each share, fractions of less amount than ¼ rupee are not to be admitted into the accounts in accordance with the rule followed in regard to all survey assessments.

XXVIII. Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed; and every such officer shall, at any time, whether at or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written *razinama* any entire field or fields into which official land may have been marked off by the Survey, and on so doing the relinquished field is immediately to be entered in the accounts as Government land, and the *jodi* tax payable by the hereditary officer is to be reduced by the full amount of the survey assessment of the relinquished fields.

XXIX. The official land under the settlement prescribed in the foregoing rule will form no part of the remuneration of the officiator, who is to be paid wholly in cash, and the land will therefore remain in the possession of the sharers who may at present hold it.

XXX. The charges of Shanbhogs will be re-distributed so as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of one officiator, he will be required to give up the surplus villages, for which one or more new officiators will be appointed by Government. The new officiator or officiators will be appointed from the family in which the *hak* has been hitherto vested if a competent person can be found.

XXXI. In all cases of incompetency of the officiator in direct hereditary succession, whether from age, sex, inefficiency, or any other cause, the next—of—kin, if competent, will be appointed; if no competent person of the family can be found, the

nomination will rest with Government. Such nomination to hold good in case of a minority till the end of the year in which the minor shall attain full age (18 years); in other cases for 3 years, when the nomination will revert to the hereditary family if a competent person can be found therein.

XXXII. Any conviction of malversation in performance of official duties shall render the person convicted incompetent to officiate again, and shall deprive him, in cases of selection being vested in the members of the family, of any right to take part in such selection. It shall also be in the power of the District officer to exclude the son of a person so convicted from any of the rights or privileges of the office so far as succession or election to the performance of the duties.

XXXIII. The District officer will be the sole judge of the competency or otherwise of the person on whom devolves the performance of the duties of an office.

XXXIV. In arranging charges, except in the case of single villages, as a rule no one officiator shall hold charge of villages with a collection of more than Rs. 2,500 and when five or more villages are combined in one charge, no one officiator shall, as a rule, hold more villages than give a revenue of Rs. 1,600.

XXXV. In small villages where only one office, either Patel or Shanbhog, at present exists, or where both offices are vested in one person, he shall receive the full salary shown by the Shanbhog's scale, and 50 per cent of the Patel's salary according to scale, so long as he continues to perform the duties of both offices.

XXXVI. In large villages where there is no Patel, or where both offices have been vested in the same person, a Patel will be appointed by Government, or the one family holding both offices may be called upon to nominate a separate officiator for each office as may seem fit to Government.

XXXVII. By Circular Notification of the Commissioner of Mysore of the 11th September 1835, lands of village officers held on condition of service to Government are declared to be inalienable by sale, mortgage, gift or otherwise. The provisions of this Circular will be strictly enforced.

XXXVIII. The remuneration of the officiating Patels and Shanbhogs shall be fixed on the scale for each, and the sum payable to each officiator, shall be his exclusive perquisite, on which no other member of the family shall have any claim.

XXXIX. The Patel and Shanbhog shall in all cases reside in the village or one of the villages constituting his charge. Leave of absence up to 7 days must be obtained in writing from the Amildar, and for any longer period from the authorities of the District in which the charge is situated.

From the Survey and Settlement Commissioner, Mysore, To the Secretary to the Chief Commissioner for the Government of the Territories of His Highness the Maharaja of Mysore, No. 1583, dated Poona, 15th October 1874.

I have the honor to forward the following observations, in regard to the rules for remuneration of Patels and Shanbhogs, received with your Memo No. 4727—311 of the 30th ultimo.

2*nd*. The rules as now printed do not contain any of the modifications proposed by me in letter No. 1270 of the 12th August last except that in Rule XIII alluded to in Para 3 of the above letter. I am not aware if the other modifications which were proposed by me are approved or not, they are small in themselves but will, I think, have a decided effect in the working of the whole scheme, especially that proposed in para 4 of my letter above referred to for the grant of a small additional allowance to Patels which I proposed in para 5 of letter above referred to, to compensate for by doing away with the small fixed allowance to Shanbhogs which I thought might be dispensed with for the reasons stated in para 5 above referred to.

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3rd. I have added in the margin to the printed copy of the rules forwarded to me the amendations which will be required to bring the rules into accordance with the proposals contained in my letter No. 1270 of the 12th August last, in case those proposals are approved of.

4th. It will be observed that I have erased the words "*and Shanbhogs*" granting the extra fixed allowances in large village to Shanbhogs as well as Patels in Rule XII. I alluded to this in para 3 of my letter No. 1270 of 12th August last and give my reasons. It will be observed that para 4 of the letter of the Government of India No. 144 of the 10th July last does not propose the extension of this fixed allowance to Shanbhogs but to Patels only for whom alone it appears to me to be required by the nature of his duties.

5th. I have also added the words "about" to the sums named in Rule XXXIV (as printed), it might be very inconvenient in some cases to adhere to the precise sum named, and some little latitude here it will be most necessary to allow.

From the Officiating Secretary to the Chief Commissioner of Mysore, To the Secretary to the Government of India, Foreign Department, Calcutta, No. 5471—109 R, dated Bangalore, 27th October 1874.

I am directed by the Chief Commissioner to reply to your letter, dated 10th July 1874, Rev. No. 144, relating to the provision of rules for the remuneration of Patels and Shanbhogs in Mysore.

2. In that letter, His Excellency the Governor-General in Council was pleased to sanction the introduction of the revised rules with certain modifications which may be thus summarized:—

(*a*) That an alteration should be made in Rule XVI, now altered into XV, providing that the total emoluments of the officiators should be revised once after 10 years.

(*b*) That a lump sum of Rs. 10 to 15 should be added to the emoluments of Patels of villages situated near large marts, camping grounds, &c.

(*c*) That Rule XXXIX, now altered into Rule XXXVIII, prohibiting Patels and Shanbhogs from absenting themselves from their villages should be modified being too stringent.

3. The Chief Commissioner has conferred with the Survey Commissioner, on these three points, and desires to submit the following observation :—

In regard to point (*a*) it may possibly be expedient hereafter to revise the scale of remuneration, and the alteration proposed by His Excellency the Governor-General in Council will supply Patels and Shanbhogs with some stimulus for increasing the revenue of their village by encouraging cultivation, if they are given to understand that their exertions in this respect are not altogether debarred from reward. Rule XVI, now altered into XV, therefore as modified by His Excellency in Council has been inserted in the rules now sanctioned. I am however to observe that the rules do not, in the absence of a guarantee, throw any obstacle in the way of a revision, either general or local, before the expiration of 10 years, and that an increase in the emoluments of a few village offices owing to a large increase of revenue would be a very simple operation.

4. In reference to point (*b*) the Chief Commissioner has inserted the following rule, in order to meet the views of His Excellency in Council.

"In the case of towns, large villages and villages in the vicinity of Railway Stations, camping grounds, large marts, and similar localities, the Patels of which are ordinarily called upon to perform heavy miscellaneous duties, an extra allowance not exceeding Rs. 15 per annum will be assigned to the Patel (and where there are two

officiating Patels, to each Patel) in addition to the salary of the office fixed by the scales in Rule IX now altered into Rule VIII."

5. To provide for point (*c*) the following rule has been inserted.

"The Patel and Shanbhog shall in all cases reside in the village or one of the villages constituting their charge. No Patel or Shanbhog shall absent himself from his charge for more than 7 days, without previously obtaining leave from the Amildar of the taluk."

6. I am, in conclusion, to submit a copy of the Rules as finally introduced, as directed in para 5 of your letter under reply. A few unimportant amendations suggested by the Survey and Settlement Commissioner have been introduced, and the number of the rules reduced to XXXVIII by the omission of Rule VII from the set of rules submitted with this office letter No. 328—R. 9 of the 11th April 1874.

NOTIFICATION BY THE CHIEF COMMISSIONER OF MYSORE.

No. 219, *The 27th October* 1874.

The following revised rules for remuneration of Patels and Shanbhogs in Mysore are promulgated for general information in lieu of those published at pages 272—274 of the *Mysore Gazette*, No. 13, dated 26th June 1869.

REVISED RULES FOR REMUNERATION OF PATELS AND SHANBHOGS.

I. All official land, whether recorded as *inam* or *jodi inam*, or otherwise, shall be valued at the survey assessment of the same, less the amount of the *jodi* tax or other cesses to which it may be subject as recorded in the public accounts of the year.

II. Cash allowances from the Government Treasury, under whatever name they may be entered in the public accounts, shall be recorded at the amount so entered in the accounts of the year.

III. The sum total of the emoluments valued according to the above two rules is to be taken as the existing valuation of the emoluments of the office.

IV. The officiating Patel and Shanbhog of each village shall hereafter receive for the performance of the duties of their offices, a remuneration in cash of at least the amount fixed by the following scale for these offices respectively.

PATELS' SCALE.

V. For the first thousand rupees of the gross revenues of his village, three per cent; for the second thousand or any part of it, two per cent; and for the balance of gross revenue beyond two thousand rupees, one per cent. In the case of villages where the collections do not exceed Rs. 300, he shall, in addition to the above percentages, receive a fixed annual allowance of one rupee, when the gross revenue ranges from eleven to fifty rupees; of two rupees, when the gross revenue ranges from Rs. 51 to 300; or so much of it, when the gross revenue exceeds Rs. 250, as shall be required to make the salary up to but not exceed rupees ten per annum.

SHANBHOGS' SCALE.

VI. For the first thousand rupees of the gross revenue of the village, or villages forming a Shanbhog's charge, four per cent; for the second thousand, three per cent; for the third thousand, two per cent; for the fourth thousand, one per cent; and for the balance of gross revenue beyond four thousand rupees, one per cent.

VII. In addition to his salary the officiating Shanbhog shall also receive an allowance for stationery as shown in the subjoined table, and the officiating Patel shall also receive the same allowance when he does not receive the extra allowance provided for in Rule XII.

XXIII. If the emoluments derived from land alone are more than sufficient to provide the salary of the officiator, the surplus shall be taxed by the imposition of additional *jodi* equal to one half the profits on the above land, the profits being the difference between the *jodi* payable thereon and the full survey assessment or valuation.

XXIV. Any surplus remaining out of the cash emoluments after providing the salary of the officiator shall be at once resumed by Government.

XXV. When the official land of any office is held in shares, and these shares with the amount of *jodi* and other cesses now payable on each, are separately recorded in the village accounts, then the additional tax imposed upon the whole official land of the office under this rule is to be apportioned on the several shares in proportion to the sum by which the full survey assessment of the land of each share exceeds the present *jodi* and other cesses payable on the same, as shown in the following example, in which the emolument of an officiator amounts to Rs. 30.

Names and Shares.	Survey assessment of the land of each share.	Deduct *jodi* cess now paid on each share.	Remaining profit on each share.	Addition to *jodi* in column 3 apportioned on profit in column 4 for payment of officiator.	Unappropriated excess of profits, being difference between columns 4 and 5.	Additional half *jodi* on excess in last column.	Future *jodi* cess on each share being sum of columns 3, 5 and 7.
1	2	3	4	5	6	7	8
1 Karibasvegauda's ...	16 0	23 0	...	...	...	...	23 0
2 Nimbegauda's ...	69 12	46 0	23 12	9 12	14 0	7 0	62 12
3 Basvegauda's ...	46 8	25 12	20 12	8 4	12 8	6 4	40 4
4 Lingegauda's ...	118 4	89 0	29 4	12 0	17 4	8 8	109 8
	250 8	183 12	73 12	30 0	43 12	21 12	235 8

XXVI. In settling the amount of *jodi* to be paid upon each share, fractions of less amount that $\frac{1}{4}$ rupee are not to be admitted into the accounts in accordance with the rule followed in regard to all survey assessments.

XXVII. Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed ; and every such officer shall, at any time, whether at or subsequent to the introduction of the settlement prescribed in these rules, be permitted to relinquish by written *razinama* any entire field or fields into which official land may have been marked off by the Survey, and on so doing the relinquished field is immediately to be entered in the accounts as Government land, and the *jodi* tax payable by the hereditary officer is to be reduced by the full amount of the survey assessment of the relinquished fields.

see Proc^s 743-52 & 4 July 85

XXVIII. The official land under the settlement prescribed in the foregoing rule will form no part of the remuneration of the officiator, who is to be paid wholly in cash, and the land will therefore remain in the possession of the sharers who may at present hold it.

XXIX. The charges of Shanbhogs will be re-distributed so as to give each officiator as many villages as he is capable of managing. When more villages than form a sufficient charge are already in the hands of one officiator, he will be required to give up the surplus villages, for which one or more new officiators will be appoint-

ed by Govrnment. The new officiator or officiators will be appointed from the family in which the *hak* has been hitherto vested if a competent person can be found.

XXX. In all cases of incompetency of the officiator in direct hereditary succession, whether from age, sex, inefficiency, or any other cause, the next-of-kin, if competent, will be appointed ; if no competent person of the family can be found, the nomination will rest with Government. Such nomination to hold good in case of a minority till the end of the year in which the minor shall attain full age (18 years) ; in other cases for 3 years, when the nomination will revert to the hereditary family if a competent person can be found therein.

XXXI. Any conviction of malversation in performance of official duties shall render the person convicted incompetent to officiate again, and shall deprive him, in cases of selection being vested in the members of the family, of any right to take part in such selection. It shall also be in the power of the District officer to exclude the son of a person so convicted from any of the rights or privileges of the office so far as succession or election to the performance of the duties.

XXXII. The District officer will be the sole judge of the competency or otherwise of the person on whom devolves the performance of the duties of an office.

XXXIII. In arranging charges; except in the case of single villages, as a rule no one officiator shall hold charge of villages with a collection of more than about Rs. 2,500, and when five or more villages are combined in one charge, no one officiator shall, as a rule, hold more villages than give a revenue of about Rs. 1,600.

XXXIV. In small villages where only one office, either Patel or Shanbhog at present exists, or where both offices are vested in one person, he shall receive the full salary shown by the Shanbhog's scale, and 50 per cent of the Patel's salary according to scale, so long as he continues to perform the duties of both offices.

XXXV. In large villages where there is no Patel or where both offices have been vested in the same person, a Patel will be appointed by Government, or the one family holding both offices may be called upon to nominate a separate officiator for each office as may seem fit to Government.

XXXVI. By Circular Notification of the Commissioner of Mysore of the 11th September 1835, lands of village officers held on condition of service to Government are declared to be inalienable by sale, mortgage, gift or otherwise. The provisions of this Circular will be strictly enforced.

XXXVII. The remuneration of the officiating Patels and Shanbhogs shall be fixed on the scale for each, and the sum payable to each officiator shall be his exclusive perquisite, on which no other member of the family shall have any claim.

XXXVIII. The Patel and Shanbhog shall in all cases reside in the village or one of the villages constituting their charge. No Patel or Shanbhog shall absent himself from his charge for more than seven days, without previously obtaining leave from the Amildar of the Taluk.

From the Officiating Under-Secretary to the Government of India, To the Chief Commissioner of Mysore, Foreign Department, Revenue, No. 289 R., dated Fort William, 27th November 1874.

With reference to the correspondence ending with your Officiating Secretary's letters noted on the margin, I am directed to state that His Excellency the Viceroy and Governor-General in Council approves of the Rules, as finally modified, for the remuneration of the Patels and Shanbhogs of Mysore.

No. 5171—109 R., dated 27th October 1874.
No. 5619—113 R., dated 4th November 1874.

(2)

Proceedings of the Dewan to His Highness the Maharaja of Mysore, (Revenue),—dated 11th July 1885.

READ—

Letter No. 175, dated 23rd June 1884, from the Deputy Commissioner, Kadur District, regarding the application of some Patels who have resigned their naukari inam lands for cash remuneration.

CAMP No. 743—52, CAMP MYSORE, DATED 11TH JULY 1885.

ORDER THEREON.—The Deputy Commissioner is informed that it is not the intention of the Mysore Government to convert remuneration now enjoyed in land by village officers into cash payments, and applications for such conversions should not be entertained.

2. The officers, however, may resign their service inams on the ground of their deterioration from causes beyond their control or on other reasonable grounds, and select other lands which may be unoccupied either in their own village if available there, or in their neighbouring villages. Their own kandayam lands too in special cases may be granted as inams (service) in lieu of one-half of the old land relinquished: the equivalent of the remaining half being allotted in waste.

V. P. MADHAVA RAO,
Offg. Secretary.

To—The Deputy Commissioner, Kadur District.
The Deputy Commissioners of other Districts and Sub-Division officers for information and guidance.
The Survey Superintendent.

1885.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 11*th July* 1885.

Camp **No.** 743—52.

Passing orders on the application of some Patels who resigned their service inam lands for cash remuneration.

Mysore Government Press, Bangalore.—22-7-85.—80.

1815 52 (23
36
14½

Extract from the Potgieter Rules.

× × × (4) ×

~~XXIX~~ ~~XXVIII~~ The official land under the settlement prescribed in the foregoing rule will form no part of the remuneration of the officiator, who is to be paid wholly in cash, and the land will therefore remain in the possession of the shareers who may at present hold it.

× × × ×

× What is land assigned the corporation is accepted, and what is entered in the accounts as such land, the value (at par value) being the total amount of the survey costs of the relinquished land

This is how I understand the rule (and I suppose the natural meaning also of the rule) as it stands - But if the words were "foregoing rules" the meaning may be different and may bear the meaning which Sir Richard made just on it (see page 58 of the printed Prov. Gaz 1885)

See note on the draft
dtd 14/6/12

CHIEF SECY.'S DEPT

Submitted to the ~~Dewan~~ Councellor (Rev)

For Orders

5

Letter no 254 dtd 8/June/12
from the Dept/ Hunuga

Subject Part of Pahala Umbili (Service Inam) lands attached for sale in execution of a Civil Court's decree

The Service Inam lands attached & the Pahala of Kanapitiya. Hunuga Talauk are as follows:-

Survey No	area	assessment	Rs
3 Garden	5-4	52-4	
171 Dry & Wet	9-17	32-4	
	14-17	84-4	63-12-

The "pahala" on the holding thus amounts to Rs 20-4 -

It appears that the Umbili holding is registered in the name of the Pahala Appuhamy, but that a portion of it is in the possession & enjoyment of a headman (named Aeddrapa) - This portion consisting of

No 171
and ½ of No 3

has been attached in execution

for money decree aft
Rudrappa -

An objection against
this attachment seems
to have been taken up to
the Chief Court by Rudrappa
& the Chief Court seem
to have rejected the
objection and ordered
the proclamation of sale
to be issued and in pursuance
given to the Deputy Com-
missioner -

The Deputy Reports
the case for the orders
of Government -

After reciting the
above facts the Dy Cr
says that the (Opposite)
Patel is paid his remunera
him in cash - He draws
attention to Sec XXVIII of
the Bombay + rules and to Rule
XLIII of the Revenue Rules
& requests (1) to be informed
(2) Whether the Civil Court
can sell lands of the
Umbali lands in states
Jachin decree - If so
the party sold will have
to be entered in the ac-
counts as such land
and fully assessed &
entered in the name
of the purchaser

(2) If the Civil Court so

+ Printed at page 68
Circ of Pov. no 950-60
& Circ 1885 Bombay

not competent to sell the land, then the Govt should move the civil Court to set aside the order of sale -

The Deputy C. has cited Rule XXVII of the Potpi rules with a meaning which the rule does not bear - He reads it as if the words were "foregoing rules" and makes out that as the Patel is paid in cash (under the order conf. in Rev. No. 2150 60 of 6 Sept 1885) the Umbli lands form no part of the Emmeration - The words are however "foregoing rule" (as fully transcribed in the margin) & this being so the Special land which it declares will form no part of the Emmeration is not the entire Special land allowed under rule I but only that portion of it visited & the expenditure which has been accepted under rule immediately preceding, that is rule XXVII.

No. XLIII of the Land Revenue Rules and also No. XXXVI of the Potpi Rules declare the Umbli lands

XXVII Nothing contained in any of the foregoing rules shall be considered as debarring any Mayeradar or Officer from relinquishing his Special land when so desired - x x x x x x x x x x x

XXVIII The Special land under the settlement prescribed in the foregoing rule will form no part of the Emmeration of the Mayeradar who is to be paid wholly in cash & the land will therefore remain in the possession of the shareers who may at present hold it -

inalienable by sale
Off not Sale & can
Under such Circ.
Circumstances it seems
that the proper course
for the Debtor to take is
to lodge a regular Petition
in the nature of Cont
Exp of Order accordingly
prepared by Mr Subramanya
is herewith put up for
Consideration.
What action the
Official Asst himself
has taken in the matter
the papers do not show.
Probably he has taken
no action in the matter,
& the reason probably is
that he derives no profits
from the land under
attachment and therefore
does not care for it. It may
also be that he thinks
that if the land were
sold & ceased to be
inalienable land he would
get a compensation
but he does not now get.
In this aspect of the case
the question may naturally
arise how if he acquired
the land under Rule XXVII.

the survey assessment on this land would be #58, ~~4~~ as this is less than the Jodi fixed on the holding (viz 63-12) it is quite possible to accept the assessment and reduce the Jodi from 63-12 to 58-12 - would one accept the assessment or would one refuse it - It may be that the land assessed is not "cultivable field" into which the original land has been marked off by the survey ; but this can hardly become objection when it is reasonable & possible for him to adopt the survey number - It seems to me that one is bound to accept the assessment - Then the land would become liable to sale for the Civil Courts decree -

But as the Applicator Patel in whose name the land stands opposed has not accepted the land attached this appeal

81

The case may be moved for the present & agreed the amended draft adopted -

In cases of this kind where the profit is from land is reckoned as part of Patels' Mesl Instruments but the Patel himself does not serve it fully because a portion of the land is the enjoyment of Cotharen, some means of enabling the Sirkar to secure the profit without disturbing the Cotharen possession has to be devised - It is unnecessary to discuss that point here -

[illegible] 11/6/92

The lands attached are to be sold on the 21st instant (7 days hence) [illegible] 11/6

Ref

As the sale is to come off on the 24th instant at Shimoga. It may be necessary to telegraph instructions to the Dy Commr

Subject to the Govt orders on this file.

19/6/82

9
L.26

Rev. Branch – Bring up. Orders 10/6/92

Rec'd 11/6/92

Please see Pro: No 743-52 (Camp) Dy 11th July 1885.

The rule quoted by the Deputy Commissioner clearly lays down that the lands in question are not liable to attachment or other process in satisfaction of Judicial decrees. If approved, the Government advocate may be requested to move the Civil Court for an order to cancel the attachment ordered by the Munsiff.

Submitted for orders.

H. Dy
11/6/92

To W. Subbaraya Dyr, after Govt Orders 11/6.

OFFICE OF THE DEWAN OF MYSORE
29 88
10 JUN. 92
159

(General Serial No. 30)

4

1892

From

The Deputy Commissioner
Shimoga District.

(3)

To

The Chief Secretary to the
Dewan of Mysore

Dated 8th June

Despatched 9th

Received

Enclosures No. Vern. Record.

General No. 254
No Jud V

Submitting a Proclamation received from the Shimoga Sub Dn Munsiff regarding the Sale of certain Immbli Lands in the enjoyment of Hisse-dar Rudrayya of Hargi in the Shimoga Taluk, a judgment Debtor, on the 21st Inst, and requesting to be informed whether the Civil Court can sell the Patel Immbli lands in question, under the Rules quoted, & that if the lands are not saleable by the Civil Court, the Chief Court may be moved to stop the sale or issue necessary instructions in the matter

To, the Cause Pro: 4978 Dy 20/6/92.
88

4

11-6-92

No. 254 Sm
244
Vern. Record

(3)

Shimoga District
Deputy Commr's Office
Shimoga 8th June 1892

To

The Chief Secretary to the
Dewan of Mysore.

Sir,

I have the honor to state that one Keshavappa obtained a Money Decree for Rs. 231-6-6 against one Rudrayya of Nargi, in the Shimoga Taluk in O. S. No. 905 of 1889 on the file of the Shimoga Sub Division Munsiff's Court.

2 In satisfaction of the Decree the marginally noted Patel Umbli lands in the Nargi village have been attached as they are in the enjoyment of the Judgment Debtor and a Proclamation has been issued by the Munsiff's Court for the sale of the lands on the 21st Instant, a copy of the Proclamation

Assessment.
Rs
Survey No 3 Garden. " 5 2 — —
(Half of this is attached).
Survey No 171. 9-17. — 32 — —
(Fully attached).

× Survey No 3 Garden. " 5 2 — —
(Half of this is attached).
Survey No 171. 9-17. — 32 — —
(Fully attached).

was received in this Office with the Munsiff's docket No 716 dated 17.5-92-

3. In this docket, the Munsiff states that the Chief Court has directed that the fact of the Proclamation should be intimated to the Deputy Commr.-

4- The total Umbli land attached to the Patali office of the village is assessed at Rs 84-a- paying a Jodi of Rs 63-12-a to Government, the Jari being Rs 20-4-a-

It does not appear that any of the Umbli lands attached to the Office have been attached & the attachment of the sale take effect the Decree holder & a survey number must shall have the Umbli lands attached

5. The Judgment Debtor is not the Patel of the Village, but appears to be a Hissedar enjoying the Umbli lands under attachment.

6. The Patel of the village is paid his Potgi in cash-

7. In Section XXVIII of the Potgi Rules, it is stated that "the Official land under the Potgi settlement will form no

Foreign rule

part of the remuneration of the officiator, who is to be paid wholly in Cash."

8. In Rule XLIII, para 5, clause d (Land Revenue Rules), it is stated that "all emoluments attached to village offices are inalienable from the offices to which they are annexed, and are not liable to attachments or other processes in satisfaction of Judicial Decrees".

9. Under the circumstances, I beg to request the favor of being informed;

1st Whether the Civil Court can sell parts of the Umbli land in satisfaction of the Decree. If it can, the part sold will have to be struck off the Umbli or Service Inam and entered in the name of the declared purchaser on full assessment.

10. If the land attached

5 is not saleable by the Civil Court, the Chief Court may be moved to stop the sale or such instructions issued to me as the Government may deem necessary -

I have the honor to be
Sir,
Your most obedient Servant

Abdul Rahman, Khan Bahadur.
Deputy Commissioner

MPK

9/L.26

(General Serial No. 30.)

1892.

(67)

From

Section

File No

Serial No

The Chief Secretary
to the Dewan of Mysore.

To The Deputy Commissioner
Shemoga District.

Dated 20th
Despatched 20th } June 1892.
Received

Enclosures No.

General No. 4978
No. 88

Issuing instructions in the matter of attachment by the Munsiff's Court, Shemoga, of certain Potail Kumbly lands in the Shemoga Taluk.

From the Secretary

References to be marked.

No. 4978 D. 20th June 1892

88 (6) 20 & V/P.

Read letter No: 254/244 dated 8th June 92 from the Dy Comr Shemoga, soliciting instructions in the matter of attachment by the Munsiffs' Court, Shemoga, of certain Poliath Kumbly lands in the Shemogal Taluq, in execution of decree in O.S. No: 905 of 1889 on the file of the said Court.

Order

The Dy Comr is requested to cause at once to be filed a petition in the said Munsiffs' Ct objecting to the attachment and sale of the lands in question on the ground that they are service Inam (Poliath Kumbly) lands, that as such, under Rule XLIII para

Read letter No: 254/244 dated 8th June 92 from the Dy Comr Shemoga, soliciting instructions in the matter of attachment by the Munsiffs' Court, Shemoga, of certain Poliath Kumbly lands in the Shemogal Taluq, in execution of decree in O.S. No: 905 of 1889 on the file of the said Court.

Order

The Dy Comr is requested to cause at once to be filed a petition in the said Munsiffs' Ct objecting to the attachment and sale of the lands in question on the ground that they are service Inam (Poliath Kumbly) lands, that as such, under Rule XLIII para

Recommend Dy Comr's Suggestion that Service Inam lands can be exempted from Civil Execution by Special Order, & that the Necessary Law is hereafter enacted. Munsiffs have to be informed. Also to Mr Lewis for info

14/6 92

Decision for orders. I have already recommended that all Shanbhoge & Patail Inams by whomsoever held should be enfranchised. If this is done all difficulty is obviated. The Inam Commr has on the Inam under notice is more than the full asst.

14/6/92

Sd/ C. C.

Sd/ C. C.
14/6

para 5 of the Rules framed
under the Land Revenue
Code they are not liable
to attachment or sale
~~process~~ in satisfaction
of Jud^l decrees and that
the possession of the judgt-
debtor is not possession
in his own right nor as
recognized by Govt.

as well as
~~and~~ Rule XXXVI of
the Police Rules issued
with the sanction of
the Govt of India under
the Cattle Chief Commr's
Notfn No 219 P dated
1894

~~It is observed that~~

2. The lands in question
do not lose their character
as service Inam lands, because their full assessment is recovered
~~merely because the Officia~~ under the arrangement
~~holding~~ ~~potail~~ is provisionally prescribed
~~under~~ in the orders of Govt, Contd in Govt Notfn No 950-60-J
~~remunerated in cash~~ dated 20-12-1923

3. The by Comm^r will
employ the Public Prose-
cutor or in his absence
any other competent
local pleader, to file the
petition and conduct
the case, ~~and report~~ the
result

Should be reported
result for the information of Govt.

4 The Govt observe that section XXVIII of the Police Rules quoted in the D.C's letter has no application whatever to the facts of the case.

5. The enclosures to the letter read above are herewith returned

Sd/ 20/6/92
Chief Secretary

To The Dy Comr
Shimoga
in cont to his telegram
dated 19th inst this day
& the latter dated 20th inst

20/6

Telegram to Dy Commr Thanjavur

1 2 3 4 5 6

In re Patel umbli Land Hargi

7 8 9 10

Village mahar / suitable Mealer

11 12 13 14 15 16

Police prosecutor or ~~Subject Trade under~~ Potgi

17 18 19 20 21 22 23

Rule 36 and Land Revenue Rule 43

(8)

Telegram.

To,
The Deputy Commissioner
Shimoga District

From
Chief Secretary
to the Dewan
Bangalore.

In re Patel Hubli land Hargi village instruct Public Prosecutor or suitable Pleader to object to sale under Police Rule 36 and Land Revenue Rule 43

(Signed) T. Ananda Row
Chief Secretary

Bangalore
20-6-92

No. 4980 D/20-6-92
89 20

Copy of the above is forwarded to the Deputy Commissioner Shimoga District for information.

By order

draft

Chief Secretary

1
L.26

(General Serial No. 30.)

1892.

(8)

From

The Chief Secretary
to the Dewan of Mysore.

To The Deputy Commissioner
Shemoga District.

Dated 20th
Despatched 20th } June 1892.
Received

Enclosures No. 1

General No. 4980
No. 89

Forwarding for copy of the Telegram sent to him with Potelé Umbliland, Hargi Village.

References to be marked.

(General Serial No. 30.)

189 24/38.

From The Deputy Commissioner & Superintendent

To The Honorable the Chief Commissioner of Mysore

Dated 22d October 1892

Despatched

Received

Enclosures No. -

General No. 401

No. 677

Note to Govt. Dept. No. 4478 dated 20th June 1892, reporting that the boundaries of the plain of a pleader on the Nandidrug releasing the Poleli Inam lands of Haripi [illegible]

Jud. Dept.
24/10/92

To
The Current Record.

Please put up good Proceedings referred to above together with previous papers if any on the subject.

M.A
27/10.

References Judicial
B.P.
28-10-92

Read.
31/10/92

Submit.
Maybe recorded
2.11.92

Rd of
Dewan
Informn

The enclosures be printed?

Ltd 4/1

Ltd

7 1

892-93

From The Deputy Commissioner Sandakan District

To The Chief Secretary to the Govt of Labuan

dated 22nd October 92

No. 701/672

Govt.

Government Progs No 4978 dated 20 June 92 authorizing me to employ the Public Prosecutor to conduct the case in the matter of attachment by the Sheriff's Court certain Public lands and requesting to report the result for the information of Government.

With reference to the above I have the honor to report that the Commissioner of Sandakan passed an order on the 30th April last releasing the Public lands in question from attachment thereby making the Judgment Creditor liable for costs incurred by Government.

Abdul Rahman M.P.S.

Deputy Commissioner

MRL

(40)

Proceedings of the Govt of H.H.
the Maharaja of Mysore

Read-

(1) Letter No 254/244 dated 8th June 1892 from the Deputy Commr Shimoga District :-
(Enter)

(2) Proceedings of the Govt No 4978/88 dated 20th June 1892 :-
(Enter order).

(3) Docket No 701/672 dated 22nd October 1892 from the Deputy Commr Shimoga District in reply to the above :-
(Enter the answer portion "With reference ..... by Govt")

Order No 11968-76
RT 244-92

Recorded.

Chief Secretary.

To The Deputy Commrs of Districts.
" Asst Chief Ct.

Proceedings of the Government of Mysore

Read:—

(1) Letter No. 254/244 dated 8th June 1892 from the Deputy Commissioner, Shimoga District, to the Chief Secretary to the Dewan of Mysore

I have the honor to state that one Keshavappa obtained a Money Decree for Rs 231—6—6 against one Rudraiya of Hargi in the Shimoga Taluk in O.S. No 905 of 1889 on the file of the Shimoga Sub Division Munsiff's Court.

2. In satisfaction of the Decree the marginally noted Patel Timble [illegible]

Press Copy

T Mantri Rr

Chief Secretary.

Comps BS.

Copied

Ch

Acres Assessment.

× Survey No 3 Garden 5 — 32 — 0 — 0

(Half of this is Wasted)

Survey No 171 9 — 17 — 32 — 0 — 0

(Fully assessed)

in the Vargi village have been attached, as they are in the enjoyment of the Judgement Debtor and a Proclamation has been issued by the Munsiff's Court for the sale of the lands on the 21st Instant a copy of the Proclamation was received in this office with the Munsiff's Docket No. 716 dated 17th May 1892.

3. In this docket the Munsiff states that the Chief Court has directed that the fact of the Pro- Proclamation should be intimat-

to the Deputy Commissioner.

4. The total Inmbli lands attached to the Patels office of the village is assessed at Rs 84-0-0 paying a Jodi of Rs 63-12-0 to Government, the Jara being Rs 20-4-0

5. The Judgment Debtor is not the Patel of the village, but appears to be a Nisedar enjoying the Inmbli lands under attachment.

6. The Patel of the village is paid his Potgi in cash.

7. In section XXVIII of the Potgi Rules, it is stated that "the offi

"Land under the Potgi
"settlement will form
"no part of the remune
"ration of the officiator
"who is to be paid wholly
"in cash".

8. In Rule XLIII, para
5. Clause (Land Revenue
Rules) it is stated that
"all emoluments attached
"to village officers are
"inalienable from
"the offices to which
"they are annexed, and
"are not liable to
"attachments or other
"processes in satisfaction
"of Judicial Decrees".

9. Under the circum
stances, I beg to
request the favour

of

necessary.

(2) Proceedings of the Government No. 4978/88 dated 25th June 1892.

Order

The Deputy Commissioner is requested to cause at once to be filed a petition in the said Munsiff's Court objecting to the attachment and sale of the lands in question on the grounds that they are service Inam (Potail Inam) Lands, that as such, under Rule XLIII para 5 of the Rules framed under the Land Revenue Code as well as

XXXVII of the Polgi Rules
issued ~~issued~~ with the
sanction of the Govern-
-ment of India under
the late Chief Com
-missioners Notification
No. 219 dated 27th October
1874 they are not
liable to attachment
and sale in satisfaction
of Judicial decrees.
2. The lands in question
do not lose their character
as service Inam lands,
because their fullt
assessment is recovered
under the arrangement
provisionally prescribed
in the orders of Govern
-ment contained
in Proceedings

No. 950-60 dated 16th

September 1865

3. The Deputy Commissioner will employ the public prosecutor or in his absence any other competent local pleader, to file the petition and conduct the case. The result should be reported for the information of Government.

4. The Government observe that section XXVIII of the Postal Rules quoted in the Deputy Commissioner's letter has no application whatever to the facts of the case

9

5. The enclosures to the letter read above are herewith returned.

(3) Docket No. 701/672 dated 22nd October 1892 from the Deputy Commissioner, Shimoga District, in reply to the above:—

With reference to the above I have the honor to report that the Munsiff of Shimoga passed an order on the 30th April last ~~enclosing~~ releasing the Patel Lemkeli lands in question from attachment — making the Judgment creditor liable for costs incurred by

Government.

Order thereon - No 11968-76
R-T 244-92

Dated, Bangalore, 9th
January 1893.

Recorded.

(sd) T. Ananda Row

Chief Secretary

To,

The Deputy Commissioners of Districts

The Registrar of the Chief Court

of Mysore

1892-93

Revenue

Reg. No. 2491

120 copies

Proceedings

No. 4968-76
R.7.244-92

Dated 9th January 193.

Recording Shemoga Dy. Commr's letter reporting that certain Patel Umbli lands in the Hargi village, Shemoga Taluk, which had been attached in execution of the Munsiff's Court's decree, was released from attachment.

Mysore

Please send proof
Printed copies
on the 26th
HH

8/1/93

Draft

1892—93.

GOVERNMENT OF MYSORE.

REVENUE.

PROCEEDINGS.

Dated 9th January 1893.

No. 11968-76.
R. F. 244-92.

Recording Shimoga Deputy Commissioner's letter reporting that certain Patel Umbli lands in the Hargi village, Shimoga Taluk, which had been attached in execution of the Munsiff's Court's decree, were released from attachment.

Mysore Govt. C. Press, Bangalore.—30-1-93—120.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 9th January 1893.

READ :—

(1) Letter No. 254—244, dated 8th June 1892, from the Deputy Commissioner, Shimoga District, to the Chief Secretary to the Dewan of Mysore.

I have the honor to state that one Kesavappa obtained a Money Decree for Rs. 231—6—6 against one Rudraiya of Hargi in the Shimoga Taluk in O. S. No. 905 of 1889 on the file of the Shimoga Sub-Division Munsiff's Court.

2. In satisfaction of the decree, the marginally noted Patel Umbli lands in the Hargi village have been attached, as they are in the enjoyment of the Judgment-debtor, and a Proclamation has been issued by the Munsiff's Court for the sale of the lands *on the 21st instant.* A copy of the Proclamation was received in this office with the Munsiff's docket No. 716, dated 17th May 1892.

	Acres.	Guntas.	Assessment.
Survey No. 3, garden (Half of this is attached.)	5	0	52—0—0
Survey No. 171, (Fully attached.)	9	17	32—0—0

3. In this docket the Munsiff states that the Chief Court has directed that the fact of the Proclamation should be intimated to the Deputy Commissioner.

4. The total Umbli land attached to the Pateli office of the village is assessed at Rs. 84, paying a Jodi of Rs. 63—12—0 to Government, the Jari being Rs. 20—4—0.

5. The Judgment-debtor is not the Patel of the village, but appears to be a Hissedar enjoying the Umbli lands under attachment.

6. The Patel of the village is paid his Potgi in cash.

7. In Section XXVIII of the Potgi Rules, it is stated that " the official land under the " Potgi Settlement will form no part of the revenue ration of the officiator who is to be paid " wholly in cash."

8. In Rule XLIII, para 5, clause D (Land Revenue Rules) it is stated that " all emolu- " ments attached to village officers are inalienable from the officers to which they are annexed, " and are not liable to attachments or other processes in satisfaction of Judicial Decrees."

9. Under the circumstances, I beg to request the favor of being informed—

1st, whether the Civil Court can sell parts of the Umbli land in satisfaction of the Decree. If it can, the part sold will have to be struck off the head Umbli or Service Inam and entered in the name of the declared purchaser on full assessment.

10. If the land attached is not saleable by the Civil Court, the Chief Court may be moved to stop the sale or such instructions issued to me as the Government may deem necessary.

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(2). Proceedings of the Government No. 4978—88, dated 20th June 1892.

Order.

The Deputy Commissioner is requested to cause *at once* to be filed a petition in the said Munsiff's Court objecting to the attachment and sale of the lands in question on the grounds that they are Service Inam (Patel Umbli) lands, that as such, under Rule XLIII para 5 of the Rules framed under the Land Revenue Code as well as Rule XXXVI of the Potgi Rules issued with the sanction of the Government of India under the late Chief Commissioner's Notification No. 219, dated 27th October 1874, they are not liable to attachment and sale in satisfaction of Judicial Decrees.

2. The lands in question do not lose their character as Service Inam lands, because their full assessment is recovered under the arrangement provisionally prescribed in the orders of Government contained in Proceedings No. 950—60, dated 16th September 1885.

3. The Deputy Commissioner will employ the Public Prosecutor or in his absence any other competent Local Pleader, to file the petition and conduct the case. The result should be reported for the information of Government.

Proceedings of the Government of His Highness the Maharaja of Mysore, (Revenue),—dated 9th January 1893.

4. The Government observe that Section XXVIII of the Potgi Rules quoted in the Deputy Commissioner's letter has no application whatever to the facts of the case.

5. The enclosures to the letter read above are herewith returned.

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(3). Docket No. 701—672, dated 22nd October 1892, from the Deputy Commissioner Shimoga District, in reply to the above.

With reference to the above, has the honor to report that the Munsiff of Shimoga passed an order on the 30th April last, releasing the Pateli Umbli lands in question from attachment, making the Judgment-creditor liable for costs incurred by Government.

No. 11968-76—R. F. 244-92, DATED, BANGALORE, 9TH JANUARY 1893.

ORDER THEREON.—Recorded.

T. ANANDA ROW,
Chief Secretary.

To—The Deputy Commissioners of Districts.
The Registrar of the Chief Court of Mysore. } with 3 spare copies.
35 copies for Press.

EXD.—M.A.